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SCS #9004

Thomas F. Torrance.

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Ætat: suæ
74
A 1639



Aspice, non frustra Veneranda hæc pingitur Icon,
Vivit adhuc tanti qualibet umbra Viri.
Prisca nitet Vultu Pietas, Virtusq; Sepulchri
Nescia, in Effigie nescit et ipsa Mori.
Sic vno Intuitu Vultûs, Morumq; Volumen
Perlegis, et Pictor transit in Historicum.

IOANNES SPOTISWOODE ARCHIEPISCOPVS
S. ANDREANVS, TOTIVS SCOTIÆ PRIMAS ET ME-
TROPOLITANVS, EIVSDEMQUE REGNI CANCELLA^r

W. Hollar fecit

THE
HISTORY
OF THE

Church of Scotland,

Beginning the Year of our Lord 203, and continued to
the end of the Reign of

King JAMES the VI.
of ever blessed Memory.

Wherein are described,

The Progress of Christianity; The Persecutions and Interruptions of it; The Foundation of Churches; The Erecting of Bishopricks; The Building and Endowing Monasteries, and other Religious Places; The Succession of Bishops in their Sees; The Reformation of Religion, and the frequent Disturbances of that Nation, by

Wars, Conspiracies, Tumults, Schisms.

Together with great variety of other Matters, both
Ecclesiasticall and Politicall.

WRITTEN

By that grave and Reverend Prelate, and wise
COUNSELLOR,

JOHN SPOTSWOOD,

Lord Archbishop of S. Andrews, and Privy Counsellor to

King CHARLES the I.

that most Religious and blessed Prince.

Res in exitu aestimantur, & cum abeunt ex oculis, hinc videntur.

L O N D O N:

Printed by J. Fleisher for R. Royston, at the Angel in

Ivie-lane.

MDCLV.



THE HISTORY OF THE

ROYAL NAVY

FROM THE FIRST SETTLEMENT OF THE
WEST INDIES TO THE PRESENT
STATE OF THE SERVICE
IN THE YEAR 1783

BY JAMES OUSELEY
ESQ; OF THE BARR

LONDON
Printed by J. JOHNSON, in Pall-mall
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THE PUBLISHER TO THE READER.



His History being wrote in calm and quiet Times, and by a person whose temper and disposition was not unsuitable to them, had the ill hap to have an hideous storm tread upon the heels of it ; which, among other greater Wrecks and Ruines, might very likely have buried this, never to have been raised up again : But Providence had so disposed of it, that a Copy of it lighting into more Ingenuous and Noble hands, it was thought a sin by them to stifle, and conceal it from the World, which now being in dotage, and infinitely in love with Change, may reade here (if they do not feel it already) the sad Effects which an unruly and a misgovern'd Reformation, usher'd in by Tender Consciences, brings upon them.

Nor doth it come forth now to cast any Obloquy upon that Church or Nation, famous in former Times for so much Piety, that the devotion of the Natives under so cold a Clime (Whether you consider the rich Endowments, or magnificent Structures of Places dedicated to Gods Service) can hardly be match'd, but to shew rather the variation of all Humane Things, and how easie it is to slide from something that might look like Superstition, into the contrary Vices of Sacrilege and Profaneness, for which they have felt so remarkable a Scourge, that unless it be in the same Island (and, all Circumstances considered, scarce in that) can the whole World, and the Stories of it, sute them with a Parallel.

But there is lesse to be said of this, because if the Times become patient of hearing Truth, you may possibly by the Industry of some good hand, have the latter and more Fatall part of the Story : For though this Cloud in the North was at first no bigger then a Hand, and might have been grasp'd, and easily dispers'd by the Authority then in being (had it not miscarried in being too tender towards it) hath since, for the sins of both Nations, rowl'd it self into a more Universal Darknes, and pour'd down such a sweeping Rain upon us, as hath carried away all that is

To the Reader.

Sacred with it. And for us that live to see the Desolation on all hands, our onely portion left us, is to mourn in secret, for

—*Nihil, præter plorare, relictum est.*

And that you may know to how innocent and unbiassed a person you owe this Story, do but impartially reade it, and you shall finde it woven with so even a threed, and so much of the spirit of meekness in all the passages of it, that neither the Rage of the first Reformers, nor the Fury of them who in after Times did second them, could tempt him to dispense so much with his own nature, as to passe any bitter Reproof upon them, but leaves them upon the Stage with the bare Narrative of their actions, and trusts the judgement of the Reader, either to condemn or to acquit them.

What the Life of this Author was, hath been diligently and faithfully collected by a Reverend Person of that Nation, who out of the midst of the Ruines of his Church, hath gather'd out of the Rubbidge of it, the substance of these following Particulars; that this world of ours being now grown barren of such Examples, might at least have an excellent Copy set before them, which if they have not the Will to imitate, yet let them use it as they do their Pictures, and commend the Hand, though they neglect his Virtues.

There is no more to say to thee, but this, That if there be so much Devotion in thee, as to melt thee into Prayers and Tears for the Sufferings of thine own Church; Let there be so much Charity too, as to bestow some of them on our Neighbour Nation, from whom our Ruine came; and have since so deeply smarted for it, that a discreet, and a very considerable person among them, hath so far in my hearing expressed his Penitence for it, as to say, That it was true, that he with the rest of his Nation had buried Episcopacy, and their Ancient Monarchy in one and the same Grave, but upon the sad consequences of it, they could be content to tear up the very earth of that Grave with their Teeth, so that they might raise up Both again.

And when this single Vote shall come to be the Vote of the whole Nation, God is where he was, and without the attending the Revolution of Plato's Great Year, can when he pleaseth, and by what means he pleaseth, restore them to their former Happiness.

Non, si malè Nunc, & Olim sic erit.



The Authors Life.



Hough Buildings are looked upon with more pleasure when they are rear'd, then in their foundations, yet that this Reverend Prelat, raised in his own Countrey to the highest honour that his condition was capable of, may not seem obscurely to have stole into the World, as a Mushrome of a nights growth, or as that *Roman* did, of whom it is said in *Tacitus*, *Videtur Curtius Rufus è se natus*, It can no way be impertinent to mention that he was descended from the Lairds of *Spotiswood* in the *Merse*, an ancient race of Gentlemen, and the chief of that surname. His Grandfather died in the bed of honour with his King, *James* the fourth, in the battel of *Flodden* field, a battel that might have been looked upon as most unfortunate to that Nation, had not their latter contests by the sword proved infinitely more unhappy.

His Father was no sword-man, but betook himself to the study of the Arts, passing his course of Philosophy in the Colledge of *Glasgow*, with a purpose the better to enable himself for Theology, to which, by the guidance of Gods Spirit over him, he stood most affected. But matters of Religion being at that time in his Countrey like the eddies of waters, rowling, and confused, (the old way questioned, and the new persecuted) none knowing in this turning tyde which wayes the times would run, he withdrew himself into *England*, where bringing with him an unsettled mind, and doubtfull what party he should incline to, Providence cast him upon a familiarity with Archbishop *Cranmer*, who soon confirm'd him in those truths which afterward he never varied from. About the time of the death of King *James* the fift he returned into *Scotland*, where by occasion given by the Earl of *Glencarn* (to whom he had applied himself) he became known to *Matthew* Earl of *Lennox*, who finding him a person judicious, and discreet, and fitted by these qualities for managing of business, employed

ploied him to *Henry* the eight of *England*, when *France* upon some jealousies was so unkind to him as to cast him off. Affaires upon this succeeding to the Earl of *Lennox* his mind, the Earl came into *England*, with whom some moneths he there remained: But longing to see the smoak of his own Countrey, he returned once more to enjoy himself among his friends; where being known to Sir *James Sandilands* of *Calder*, (a person of great authority in those times) he was moved by him to accept of the Parsonage of *Calder*, which upon the beginning of the Reformation was then void. Not long after this, he was made Super-intendent of *Lothian*, *Merse*, and *Teviot-dale*, where he exercised fully the power, and discharged faithfully the Office of a Bishop, though under another style; For it was not the Office, but the name, which the first Reformers out of humor startled at, though they who have succeeded them (for in errors of this kinde, the last comers think they have done nothing, unless they out-bid the former) have since to their own ruin cast out both. He continued in this holy function, with the approbation of all good men, till his death; when being full of days, and leaving the perfume of a good name behinde him, he peaceably departed out of this life on the fift of *December*, in the year 1585. His Wife was *Beatrix Crichton*, a grave and a discreet Matron, daughter to the Laird of *Lugton* an ancient Baron of *Scotland*. And from these Parents *John Spotswood*, the Author of this History, descended.

Born he was in the year of our Lord 1565, when he was no sooner brought into the World but a remarkeable passage accompanied it; For among the rest that were present (not ordinary Gossipers, but women of good note) there was one among them who in a sober, though in a prophetick fit, taking the childe in her armes, called aloud to the rest in these or the like tearms, *You may all very well rejoyce at the birth of this childe, for he will become the Prop, and Pillar of this Church, and the main and chief instrument in the defending of it.* From what principle this prædiction came, or how she was thus inspired, I will not search into, but that her words came really to pass, may evidently appear to him that reads this short story of his life.

His education was answerable to his birth, for being a child of a pregnant wit, great spirit, and good memory, he was by the care of his parents brought up in the University of *Glasgow*, where he came so early to perfection, that he received his degrees in the sixteenth year of his age: for though the fruits of the earth under that Northern Clime do not mature so soon, the men generally are of a better mold, and mellow as early into a ripeness, as any of those Nations, who because they have more of the Sun plead for a priority, forgetting that some kinde of grain are ripened best by Frosts. And this so many excellent men of all sorts, as have been of that Nation, are so many examples of.

But

But to revert to this one among the rest, who having laid his foundation in humane Arts and Sciences, did not make his period there, but used them as the runcles of a ladder by which he might climb higher to the knowledge of diviner things, to the practise of which by way of charge he was sooner called then he expected; for his father being by age and weakness of body unable to appear any more in publick, none was thought fitter to succeed in the Parsonage of *Calder* then his son; though otherwise in a well-govern'd Church, his age (being then but eighteen) might in an ordinary course have been a barre against him; but his early parts, and his conscientious diligence in attending this cure, supplied his defect of years, and the greenness of his youth was corrected, and tempered by so sober a gravity, as no man could either despise his youth, or think him unfit for the employment.

Nor were these virtues of his buried, and confined within the boundaries of his Parish; for having formerly had a relation to the Noble family of *Lennox*, he was looked upon as the fittest person of his quality, to attend *Lodowick* Duke of *Lennox* as his Chaplain in that honourable Ambassy to *Henry* the fourth of *France*, for confirming the ancient amity between both the Nations: wherein he so discreetly carried himself, as added much to his reputation, and made it appear that men bred up in the shade of learning, might possibly endure the Sun-shine, and when it came to their turnes might carry themselves as handsomely abroad, as they whose education being in a more pragmatick way usually undervalue them. In the retinue of this Noble Person he returned from *France* through *England*, where Queen *Elizabeth* being in her declining age, was in his Masters name saluted by this Ambassadour, who seeing her night draw on so fast, could the easier guess that his Masters rising in this Horizon was not then far off.

An. 1601.

Some two years after this, Queen *Elizabeth* (after the glorious reign of fourty four years) by her death made way for King *James* her successor, and when all the World stood at gaze what would become of the Crown of *England* (which the Jesuit under the name of *Dolman* had bandied over into *Spain*, and some of the contrary extreme, were then in consultation (though upon different purposes) to make a game of it at home) there was a diviner hand of Providence, which so unexpectedly ordered it, that without any contest at all, it settled on the right heir, to the admiration of the neighbouring Nations, and (had we known our own good) to the infinite happiness of this. The King being to take possession of his hereditary Crown here, chose out for his attendants, the most eminent persons of all kindes: and among his Clergy this Author (being then no farther advanced then to his Cure of *Calder*) was summoned to this service.

An. 1603.

service. That year, *James Beaton* Archbishop of *Glasgow* dying, the King (who being of excellent parts himself, could the better discover and value them in others) not only preferred him to that See, but farther admitted him for his prudence and dexterity in Civil things to be one of his Privy Council in *Scotland*. And being graced with these honors, he was sent back from *England* the same year to attend *Queen Anne* in her journey to *London*, who knowing his integrity made him her Almoner for the better dispensing of her Charity, which could not confidently be credited but to clean hands and an uncorrupt heart, such as his really was.

An. 1610. Not long after this, he presided in the Assembly at *Glasgow*, where the power of Bishops, *ex Jure postliminii* was restored. The same year upon the Kings command, he with the Bishops of *Brechin* and *Galloway* repaired to *London*, where he received the solemnities of consecration from the Bishops of *London*, *Ely*, and *Bath*, in the Chappel at *London-house*.

An. 1615. At his entry to the Archbishoprick of *Glasgow*, he found the Revenues of it so dilapidate, that there was not One hundred pounds *sterling* of yearly Rent left, to tempt to a new Sacrilege: But such was his care and husbandry for his Successors, that he greatly improved it, and yet with so much content to his Diocese, that generally both the Nobility and Gentry, and the whole City of *Glasgow* were as unwilling to part with him, as if he had been in the place of a Tutelar Angel to them. But part with him they must; for after eleven years presiding there, the See of *S. Andrews* being vacant, King *James* (who like another *Constantine* thought himself as highly concerned in providing Successors for Churches, as Heirs for his Crown) removed him from *Glasgow* (being then about the age of forty nine years) to be the Primate and Metropolitan of all *Scotland*.

An. 1616. The next year after this, he presided in the Assembly at *Aberdene*, where the Earl of *Montross* being the Kings Commissioner, the excommunicated Marquis of *Huntley* was upon his Penitence received into the Bosome of the Church. And at the same Assembly there past an Act for the drawing up a Liturgie for the Church of *Scotland*, and some of the most learned and grave among the rest (*William Cowper* Bishop of *Galloway* being designed the chief) were deputed to that Work, wherein the Service of God, and the Peace of that Church was so deeply concern'd: Which I the more willingly mention, that the deceived party might know, that the designe of a Liturgie, which was afterward look'd upon as the dangerous *Trojan* horse, sent in by their suspected Neighbours, might have proved more properly such a *Palladium* to them, as might have preserved them to this day, had they not onely scornfully, but seditiously rejected it, and have therefore

therefore found the same fate as they of *Troy* did; of whom it was observed,

Peritura Troja perdidit primum Deos.

Being invested by the Kings favour in this Primacy, he made so much farther use of it, as he procured Three hundred pounds *sterling* of yearly Rent (being by the Sacrilege of former times swallow'd up in the Crown-Revenues) to be restored to his See: Nor did he finde any difficult business of it; for certainly these latter Ages have not produced in any Nation, a Christian Prince that understood better then he the horror of Sacrilege, and the Concernments of Religion, which never suffers more, then when the Professors of it are exposed to Scorn and Poverty. For, however this was the portion of the best and Primitive Times, when the Christian Faith had no publick Civil Authority to own it, yet after it had pleased God to make Kings the Nursing-Fathers, and Churches were endowed by pious men, their Revenues were ever held Sacred, till the Covetousness of some, and the Profaneness of others, had consulted with that subtle Oracle, that delivers it *tanquam è Tripode*, that there can be no such sin as Sacrilege; for as Nothing can be given to God, so Nothing can be taken from him.

All King *James* his time he lived in great favour with him, and was the prime Instrument used by him in several Assemblies, for the restoring the ancient Discipline, and bringing that Church to some degrees of Uniformity with her Sister Church of *England*; which had we on both sides been worthy of, might have proved a Wall of Brass to both Nations. Nor was his Industry less for the recovery of some remnants and parcels of the Churches Patrimony, which (though they were but as a few Crums in comparison of that which at a full Meal Sacrilege had swallow'd) he found to be an hard Province, yet by his zeal and diligence he overcame many difficulties, and so little regarded his own ease, that for the effecting of this, and what else conduced to the recovery of that Church in Patrimony and Discipline, they who knew the passages of his life, have computed that he made no less then fifty journeys from *Scotlnad* to *London*.

Nor was he less gracious with King *Charles* his blessed Son, who was Crown'd by him in the Abbey Church of *Holyrude-house*, with such high applause and acclamations of that Nation, that it could not have been possibly imagined, that such an *Hosanna* should ever be turned into a *Crucifige*; or that a Prince, so passionate a lover of his own native Countrey, should finde such enemies in the bowels of it, as either to contrive, or to assist his Ruine. But thus God had ordered it (as in the case of *Josiah*) rather as a Punishment for our sins, then his, that leaving his earthly Crown (which to him really proved

The Assembly of *Perth*
1618.

An. 1633.

proved but a Crown of Thorns, whatever it may prove to others^d to the bold Hand that would next venture to take it up, he might be put in possession of a more glorious Diadem, and sit Crowned there, where (if the joyes of heaven admit of such a diversion) he looks down upon things below, and all that happens here, with so much unconcernment, as what was said of the brave Roman, may in a Christian sense be more suitable to him,

——— *Illic, postquam se lumine vero
Implevit, stellâsq; vagas miratur, & Astra
Fixa Polis, vidit quantâ sub nocte jaceret
Nostra dies, ridetq; sui ludibria trunci.*

But to return to this pious man (who was so happy as to have his eyes closed, before the Crown which he so solemnly set upon his Masters Head, was to the astonishment of the World snatcht from him) there must be added to this story, That as he enrich'd his See of *Glasgow*, so he did the like for *S. Andrews*, procuring the Revenues of the Priory (being then in Lay hands) to be adced to his Church. But having compassed this, to shew that it was done rather for the Churches interest then his own, he dealt by way of humble Petition with the King, that of his large Diocese of *S. Andrews*, so much as was of the South-side of the River of *Forth* might be dismembred, for the erecting of a new Bishoprick: which accordingly was done, and being amply endowed, was seated in their Prime City of *Edinburgh*.

An-1635. Two years after this, the Earl of *Kinnoul* being Chancellour dying (a Person of singular Prudence and Integrity) his Majesty knew not where to fill the place with a Successor, with whom he might more securely trust his Conscience, then with this aged Prelate, near to God by his Function, and by his age (being then arrived to *Davids* great Climacterick) so neer to his end as might well put him in remembrance, that the account which he was to give of his Stewardship could not be far off. And this honour he enjoyed to his death, with the approbation of all, only such excepted, whose evil eye at the Clergy, and their own particular ambition wrapt into such a fancy, as made them think every honour to be misplac'd that was not settled on their own shoulders.

He had not fully measured out four years in the discharge of the duties of this place (which did not so entangle him but that the danger of the Church which then was drawing on filled him full of thoughts which way he might divert it) when that unhappy design which had been so long hatching under the wings and warmth of a mal-content and seditious party, began to be ready to fly abroad. And what could be called for as a fitter Midwife to this birth, then something

thing that at least might look like Religion. For the rule was given long ago, before ever *Macchavel* lived to vent it, and is likely to hold to the end of the World,

—*Quoties vis fallere Plebem,
Finge Deum.*

And from hence rose that storm, which with so much violence fell on this Reverend good man, that he was forced by it for safety of his life to retire into *England*, where age and grief, with a sad soul in a crazy body had so distempered him that he was driven to take harbour in *New-castle*, till by some rest, and the care of his Physicians, he had recovered so much strength as brought him to *London*. But this proved but a short reprieve, for being come thither he fell into a relapse, and the sentence of death being to be executed on him, he took his bed some nine dayes before, waiting for that blessed hour, when being freed from any farther heart-breakings for those evils he could not prevent, he might be admitted into his Masters joyes, where future calamities could not reach him.

In this time of his sickness, and preparation for his end he was visited by the Archbishop of *Canterbury*, and some other Bishops, with whom, with great devotion, he received that blessed *Vinicum*, the Bread that came from Heaven, in the strength of which he was to pass unto Eternity.

After which though his desire was rather to compose himself for privacy and silence, then to admit of any company, he could not prevent the visits of many honorable Persons. Among whom the visit of the Marquis *Hamilton* (being looked upon by the eye of the World as disaffected to the whole Order) deserves more particularly to be remembered; and the circumstances of it you shall have in those terms as they are related.

The Marquis coming neer to his bed-side, was pleased to say, My Lord, I am come to kiss your Lordships hands, and humbly to ask your blessing To which the Archbishop with a soft voice answered, My Lord you shall have my blessing, but give me leave to speak these few words to you; My Lord I visibly foresee, that the Church and King are both in danger to be lost, and I am verily perswaded, that there is none under God so able to prevent it as your Lordship: And therefore I speak to you as a dying Prelat in the words of *Mordecai* to *Esther*, *If you do it not, Salvation in the end shall come where else, but you and your house shall perish.* To whom the Marquis made this worthy reply, That what he foresaw was his grief, and he wished from his heart he were able to do that which was expected from him, though it were to be done with the sacrificing of his Life, and Fortunes. After which upon his knees he received the Archbishops blessing and departed. I shall make no Commentary upon it, for the best interpreters of words are actions.

The Authors Life.

As he lived, so he died in peace, with a stillness so much more than ordinary, that they who were about him, could not by any outward agony perceive when that peaceable Soul of his departed. But before that last minute (sad to his friends, but to him infinitely joyful) had closed up those eyes, which had so long been watchful for the Church he govern'd, his Intellectuals and best Faculties being clear and undisturbed, and desiring to leave the world a copy of the faith he died in, he premised it to his last Will and Testament in this form following :

First, for that I esteem it the duty of every Christian (especially of those whose service it hath pleased God to make use of in his Church) to make some open declaration of his Faith wherein he lives and dies, I profess that I believe all the Articles of that ancient Christian Creed, commonly called The Apostles Creed; the sum whereof is, That God is One in Three Persons; the Father, Creator of all things; the Son, made Man in fulness of time, who by his bitter Passion and Death having redeemed Mankind, rose from death, and ascended to Heaven, from whence he will come to judge all flesh; and the Holy Ghost, proceeding from the Father and the Son, the Sanctifier of all that believe; That this God hath chosen to himself a Church, the Members whereof living in Communion, though never so dispersed, shall by his infinite mercy receive remission of all their sins, and being raised again in their Bodies, at the last day shall enjoy everlasting life.

This is the sum of my faith: Other Additaments which Ignorance and Corruption have super-induced into Christianity, I simply refuse, beseeching God to purge his Church from the Errors and Superstition that hath crept into the same, and at last to make us all that are called Christians, the Sheep of one Fold.

For matters of Rites and Government, my judgement is, and hath been, That the most simple, decent, and humble Rites should be chosen, such as the bowing of the knee in the receiving the holy Sacrament, with others of the like kinde; Profaneness being as dangerous to Religion as Superstition. As touching the Government of the Church, I am verily perswaded that the Government Episcopal is the onely Right and Apostolick Form; Parity among Ministers being the breeder of all Confusion, as experience might have taught us. And for those Ruling-Elders, as they are a meer humane Device, so they will prove (when the way is more open to them) the Ruine of both Church and State.

In the simplicity of this Faith he lived, and in this he died, like one of the Bishops of those Primitive Times, when the modern names of Faction were not known; and whosoever agreed to these Fundamentals, the Church was not so nice a Mother as to cast them out. And though in the passages of his life, enough hath been said already to give you the Character of this excellent Person: yet because Pictures drawn at length, where nothing of the figure or proportion is left out, are the most graceful Pieces, I shall so far enlarge it for the Readers sake, as may with more advantage induce him to copy it out into his own life and manners.

And for this, though the voice of publick fame be loud enough to
give

give directions, yet I shall rather ow them to those persons of integrity, who in his Life time being admitted to be neerer witnesses of his conversation then others, may with more security be hearkned to. For flattery followes no man farther then his grave, and it were well if malice went no farther.

And this he had the less reason to fear, because in his Life he had set so severe a watch upon himself, that his conversation was without reproof, even in those times, when the good name of every Clergyman was set at a rate, as formerly were the heads of Wolves. Only one hath been found (that ever I heard of) who thought he could not sufficiently vindicate his *Diana* the new-modeld Church of *Scotland*, (which under the notion of the kingdom of Christ were then busy to set up a kingdom of their own) unless he raked into the grave of this innocent person, and violated his dust, whom in his Life time he could not look upon without reverence. Nor shall I do him the honor to name him, much less to answer him, but rather leave him to the Tribunal of his own Conscience, where if the Court be not infinitely corrupted, he stands condemned already. And this I forbear the rather, that writing his Life, I might in this particular imitate the Life I write of, which had so much of moderation and calmeness in it, that though he had many encounters with those *φουερὲς θέρμαι ἢ μεγάλαι* (such as Bishop *Nazianzen* complains of) yet he never dealt with them at their own weapons, but borrowed his from the Armory of his Saviour, from whence he was furnished with humility enough to oppose their pride, and meekness enough to answer their choler.

As for his Patience in suffering, which is a neighbor virtue to the former, he is a rare example; for living in those tumultuous, and undistinguishing times, when Rapine, and Malice was called Zeal, and Sedition wore the colours of Religion, and being thereupon driven both from his native Countrey, and from the honors, and preferments which he enjoyed, he was never so much as heard to complain of his enemies, but upon his death-bed made it his solemn prayer to God, that he in his own particular might be forgiven upon no other terms, then as he for Christs sake forgave them.

For piety he was more for substance, then for shew, more for the power of godlyness, then the bare form of it. Frequent he was in his private Prayers, and in the publick worship of God of such an exemplary carriage, as might warm the coldest congregation to gather heat, and to joyn with him in the same fervency and height of his devotion.

For preaching he was rightly gifted, though not in the Modern sense, where ignorance and impudence, without any farther commision, make up the Preacher. For his constant way was to deliver much matter in few words, not affecting or looking for applause from them, who doat upon the best lungs, and the longest Preacher, but considering seriously whose message he brought, he discharged it with so much judge-

ment, and yet with such simplicity of spirit, as might sooner get Souls for God, then Praise from men.

For outward works of Charity, he looked upon them as the proper Badge of his heavenly Master, and could no more esteem him a Christian, who boasted of his faith without them, then he could believe a Thorn or Bramble to be a Fig-tree. And in his own particular he acted in this way to the utmost of his means, for besides the dispensing of his private Charity, where the right hand was not to know what the left hand did, he publickly upon his own charges built, and adorn'd the Church of *Darby* after the decent English form; which if the boisterous hand of a mad Reformation hath not disordered, is at this time one of the beautifullest little pieces of Church-work, that is left to that now-unhappy Countrey. Nor is it to be buried in silence, what he did in a time of famine, for the relief of the Isles of *Orkney*, when he did not onely incite others to a liberal Contribution, but led the way to them by his own example, in such a proportion as suited rather with the largeness of his minde then of his fortunes.

There remain but two things more to be accounted for, The Children of his Body, and the Issue of his Brain : The former was numerous, but of these, three onely came to perfect age, whom he had by *Rachel Lindsay* daughter to *David Lindsay* Bishop of *Rosse*, of the house of *Edzell*, an honorable family in *Scotland*. His eldest Son *Sir John Spotswood* lives yet, though not in a plentiful, yet in a contented condition, not any way cast down, or asham'd of his Sufferings, but comforting himself rather, that in this general Ruine brought upon his Countrey, he hath kept his Conscience free, though his Estate hath suffered.

His second Son was *Sir Robert Spotswood*, a great ornament to his Nation, for his many and rare abilities, who after he had studied nine years abroad, was for his great wisdom and knowledge in the Laws, preferred first by King *James* to be Lord of the Session extraordinary, and afterward by King *Charles* not onely to be the constant President thereof, but to be his chief Secretary for that Nation. And although he suffered a violent death upon the Scaffold at *S. Andrews*, yet seeing he was found guilty of no Crime but that of Loyalty and Fidelity to his Master, which in no Records of Law, nor in any Age but this (*ubi ipsa rerum nomina perdidimus*) was ever reckoned among Treasons, let his Memory be had in honour, as of a Martyr that suffered for Righteousness sake : for which he had so great a zeal, that upon that very Scaffold where he was to suffer, he shew'd such a religious and honest boldness towards his Countreymen, as to call to as many of them as curiosity had brought thither to see his end, That they should keep fast their Duties to their God, and to their King, and beware of those seditious Ministers, into whose mouths, as into the Prophets of *Ahab*, the lying spirit had entred, both to seduce them, and to ruine that noble Nation.

The third left of his Progeny was a Daughter, who being virtuously
and

and religiously bred, was happily married to Sir *William Saint-clare* of *Rosline*, one of the ancient Barons in *Scotland*.

As for any Works that he left behinde him (besides the memory of his life, which might have made the greatest Volumn) I hear of none extant but this excellent History : For though he were a person both of great Place and Parts, he was not easily tempted to trouble the Press, and to shew himself abroad. Nor was this History undertaken by him by any free motion of his own, but by the instance and command of King *James*, whose discerning spirit had singled out him as a person best qualified for an Historian, with Prudence, and Candor, and clearness of style, and so much innocent courage, as neither to fear to speak the Truth, nor to dare to speak a Lie. And though his obedience to the Commands of his Sovereign had a very powerful influence upon him, yet being to deal with a King who made not his Will his Law, but being a great Master of Reason, was as ready to hear, as to give it; he took the liberty in an humble way to propound several Objections, one of which more especially deserves to be remembred, not onely for the Historians sake, but for his that set him on work : and it was thus ; *It is not unknown to your Majesty* (saith the Bishop, being willing enough to finde an handsome excuse) *that your Majesties Mother being defamed by the bold Writings of a malicious Party, and the credulity of easie people (who to avoid the trouble of searching into them, use to swallow such Reports as these without chewing) hath not left a clear name behinde her: And as in mine own particular judgement I cannot joyn with them in those Scandals which they have with so malicious a falshood cast upon her, so your Majesty must give me leave to say, that in all things she did I cannot approve her: And being of necessity to speak of her in the Series of this History, what to do therein I know not.* To whom the King replied, *Speak the Truth man, and spare not.*

And upon this encouragement from so excellent a King (which few of the Rulers of this present world dare give to their Historians) he chearfully set about this Work, and laying aside all Partialities, that he might more faithfully go through with it, he had not onely the use of all the Registers both of Church and State in *Scotland*, but of all Letters of State that could any way concern the Work he was about, which either were sent to him, to be survey'd by his own eyes, or transcribed by sworn Officers, and attested by the Clerks hands. With this caution, and with these advantages he undertook, continued, and finish'd this History, as the Intervals of publick business, and his own private Studies and Devotions would give him leave. And the Work being of that nature, as not to be *Res Ingenii*, and to be woven out of his own Brain, but such as required search and deliberation, and such helps as were not alwayes ready at command, but were to be waited for, let not the Reader wonder that this History begun by King *James* command, should not come into the world till both King *James* was in his grave, and the Writer too; but let him rather wonder that it comes out now : for it

was left like an Infant of the Israelites in an Ark of Reeds, and if Providence had not found out very tender hands and heart to save it, it had been lost. And now it is time to bring this Reverend Prelat to his grave, though his good name and story may be longer lived. The manner of his burial by the command and care of his religious King, was solemnly ordered, for the corps being attended by many mourners and at least 800 Torches, and being brought neer the Abbey Church of *Westminster*, the whole Nobility of *England* and *Scotland* (then present at Court) with all the Kings servants and many Gentlemen came out of their Coaches, and conveyed the body to the West-dore, where it was met by the Dean and Prebendaries of that Church in their Clerical habits, and buried according to the solemn Rites of the *English* Church, before the extermination of decent Christian burial was come in fashion:

Above his Corps these words following are engraven in brass.

MEMORIÆ SACRUM
DOMINUS JOANNES SPOTISWOOD ECCLESIAE SANCTI
ANDREÆ ARCHIEPISCOPUS, SCOTIÆ PRIMAS,
ET REGNI CANCELLARIUS

VIGINTI ANNOS PRESBYTER
UNDECIM ANNOS ARCHIEPISCOPUS GLASGOENSIS
VIGINTI QUINQUE ANNOS S. ANDREÆ
ET PER
QUATUOR ANNOS REGNI SCOTIÆ CANCELLARIUS
EX HAC VITA IN PACE MIGRAVIT
ANNO DOMINI 1639
SEXTO CALENDAS DECEMBRIS
REGNI CAROLI 15.
ÆTATIS SUÆ 74.

PRÆSUL, SENATOR, pene MARTYR hic jacet
Quo nemo Sanctior, Gravior, Constantior
Pro Ecclesia, pro Rege, pro Recta Fide
Contra Sacrilegos, Perduelles, Perfidos
Stetit ad extremum usque Vitæ Spiritum,
Solitumque talium Meritorum Præmium
Diras Rapinas Exiliumque pertulit.
Sed hac in Urna, in Ore Posterum, in Deo
Victor potitur Pace, Fama, Gloria.

D. M.

The Authors Dedication

To



*The High & mighty Monarch Charles by the grace of God
King of Great Brittain France & Ireland Defender of y^e Faith.*
Per Ecclesiam Petor

THE ADAMS FAMILY

1841



THE ADAMS FAMILY
1841

To the KING His most Sacred Majesty,
C H A R L E S,

By the Grace of God King of Great Britain, France
and Ireland, Defender of the Faith, &c.

MOST DREAD SOVERAIGN,



Here is not amongst men a greater help for the attaining unto wisdom, then is the reading of History. We call Experience a good Mistris, and so she is; but as it is in our Scottish Proverb, It seldome quits the cost: History not so; it teacheth us at other mens cost, and carrieth this

advantage more, that in a few hours reading, a man may gather more Instructions out of the same, then twenty men living successively one after another, can possibly learn by their own experience. Therefore hath History by all wise men been ever held in good estimation: and none thought to deserve better of the Church and State wherein they lived, then they that have taken the pains to record unto Posterity the things fallen forth in their dayes: For there is no new thing under the Sun; what hath been, or is, the same also shall be, saith the Preacher.

To know the success and event of every course, there needs onely the knowledge of things past, and a fit comparing of them with the present. Now this knowledge is chiefly got by History; The want whereof hath bred in our Church many strange mistakings: For did men understand how things went at our Reformation, and since that time, they would never have been moved to think that Episcopacy was against the Constitutions of this Church; One of the first things done in it, being the placing of Superintendents

The Author to the King.

intendents with Episcopal Power, in the same, and no act so often iterated in the General Assemblies of the Church, as that Ministers should be obedient to their Superintendents under pain of deprivation. Then for the Consistorial Discipline brought from Geneva some sixteen years after the Reformation; did men know the troubles raised thereby, both in the Church and State, with the necessity that your Majesties Father of blessed Memory was put to for Re-forming that confused Government, they would never magnifie nor cry it up as they do. To remedy this want, and let all that desire to be truly informed of things fallen out in our times, I took the pains to collect this History, which I do now humbly present unto Your Sacred Majesty: If the same shall be graciously accepted, as I cannot but presume upon Your accustomed humanity to all, I have that I desire: for with me it is a small thing to be judged of others; God knoweth, I have followed the Truth, and studied to observe the Laws of History.

The Collection premitted in the two first Books, concerning the planting and progress of Christian Religion in this Kingdome, with the worthy Instruments that God raised to propagate the true Faith, both here and in the neighbouring Countries, contained no great matters: as of those first Ages, whereof we have few or no Records remaining, how should any great things be truly affirmed? Yet the little I have found and brought together, may let us see the exceeding goodness of God toward this Nation, having so soon after the Ascension of our Saviour unto the heavens, made the Gospel here to be Preached, and a Church thereby gathered, which to this day hath found a safe harbour under Your Majesties Royall Progenitors. Fourteen hundred years and above we reckon, since King Donald the first of that name his imbracing the Christian Faith: All which time there hath not been wanting in the Royall Stock a most kinde Nursing Father to this Church: or if a careless and dissolute King (which in so long a succession of Princes is not to be wondered)

dred) happened to reign, the same was ever abundantly repaired by one or other of the Kings that followed; neither did this bring them less happiness then honour; For give me leave, Sir, to speak it, which I hold not unworthy of your Majesties consideration, the Scottish Kingdom once the least of nine Kingdoms that ruled in the Isle, by the wonderfull providence of God, is now so encreased, first in the person of your Majesties blessed Father, and now in your own, as the Scepter of the whole is put into your Majesties hands, which that you may long happily sway and your posterity after you to the worlds end, is the hearty wish of all loyall Subjects. For my part (next to God his undeserved love) I do ascribe this happiness to the piety and devotion of your princely Ancestors, and to their zeal in maintaining the rights and liberties of this Church. Your Majestic keeping the same course (which blessed be God you hold) you may be confident of God his protection against all dangers whatsoever, for he will honour them that honour him, and never turn away his face from his Anointed.

God Almighty I beseech to multiply his blessings upon your Majesty and your Royal Progeny, to give you the desire of your heart, and clothe all your Enemies with shame.

So he prayeth that is

Your Sacred Majesties

From the place of my

Most humble Subject

Peregrination

and Servant

15 Novemb.

1639.

S. Andrewes.

The Contents of the severall Books.

THe First Book containeth the planting and progress
of Christian Religion in this Kingdome, unto the
subversion of the Picts, which fell out about the year
of our Lord, 840, Fol. 1.

The Second Boook containeth the succession of Bi-
shops in the severall seas of this Kingdome, especially in
the sea of S. Andrews, with other principall things that
happened in their times. fol. 25.

The Third sheweth the History of the Reformation,
of the Church, and how it was wrought. fol. 117.

The Fourth Book sheweth the things that fell out af-
ter Queen MARY her coming from France into this
Kingdome, unto her resignation of the Crown to King
JAMES her Sonne. fol. 176.

The Fifth declareth how matters passed in the State
and Church, during the Government of the four Re-
gents, His Majesty being yet Minor. fol. 213.

The Sixth containeth the things that happened after his
Majesties assuming of the Government in his own per-
son, unto his happy Succession to the Crown of Eng-
land. fol. 282.

The Last and Seventh Book rehearseth the proceed-
ings after his Majesties going into England unto his
dying. fol. 473.



THE
HISTORY
OF THE CHURCH
OF
SCOTLAND.

THE FIRST BOOK.

The Contents.

The planting and progresse of Christian Religion in this Kingdome, unto the subversion of the PICTS, which fell out about the year of our Lord 480.



Aving purposed to write the History of this Church, I have thought meet to begin at the time in which this Kingdom did first receive the Christian faith; for albeit we have few or no Records left us of those first times, yet as much is to be found in stories, as will shew what was the condition of this Church in every age. And herewith we must content our selves, till we come to the times that yield greater plenty of matter, when I shall come to our own time. I purpose to set down at length the things that have happened both in the Church and State, together with the counsels and causes of those events, without the which, the History should be of little use; For take away from story the causes whereupon, the manner how, and the purpose wherefore things were done, that which remaineth is more like a Fable then an History; delighting the Reader, it may be, for the present; but giving little or no instruction at all. I am not ignorant how unsafe it is to write of matters so recent, and what offence it may give to divers persons; but the desire I have to give posterity a true information of things, and to have them made wise by our errors, weigheth down with me all such feares; wherefore without further prefacing, to begin,

The Preface.

Anno 203.

Scotland converted to the
faith of Christ,
Anno 203.
Boeth. li. 6.
Euch. li. 4.
Lest. l. 3.

The Planners
of Christiani-
ty in this
Kingdom.

Reasons why
Pope Victor
could not be
the worker of
our conver-
sion.

IN the year of our Lord 203. (which was the fourth of *Donald* the first his Reign) the Faith of Christ was in this Kingdom first publicly embraced; King *Donald* with his Queen and divers of his Nobles, being then solemnly baptized. Yet was not that the first time wherein Christ was here made known: for *Tertullian* who lived some yeares before, speaking of the propagation of the Gospel throughout the world, doth reckon among the countreys the parts of *Britannie*, unto which the *Romanes* could not finde access; and what these parts were we cannot doubt, all the In-land of *Britannie* being then made subject to the *Romanes*, and no part free, but that little corner of the Isle which the *Scots* did inhabit. Moreover, it cannot in reason be thought, that the conversion of this Kingdom was all wrought at one instant, great alterations, such as that must needs have been, not being made, but by little and little; so as we may well think that numbers of people have been won to the Christian profession, before the same was publicly embraced by the King and his Nobles.

But who they were that God used as instruments in that work, is not certainly known; *Nicephorus* writeth that *Simon Zelotes* (after he had travelled through *Egypt*, *Cyrene*, *Afrique*, *Mauritania*, and *Lybia*) came at last *ad occidentalem Oceanum, insulasque Britannicas*, and there preached the Gospel; *Dorotheus* addeth, that he was crucified in these parts. There be Authours likewise of no small credit, who write that *S. Paul* the Apostle after his first imprisonment at *Rome*, did visit this Isle, and preach the Gospel in the utmost parts thereof.

The opinion most commonly received is, that Pope *Victor*, upon the intreaty of King *Donald*, did send hither some Preachers, and that these were the men that wrought our conversion: but this cannot hold, for divers reasons. As first, if the King did move the Pope in any such businesse, it must needs have been upon some knowledge and liking he had of the Christian profession; and if so, the Preachers that he sent hither, could not be the first that taught us the faith of Christ. Again, the estate of the time maketh this opinion improbable; for the year, in which the King is said to have sent that legation to *Rome*, was the very last of Pope *Victor* (for he suffered Martyrdom in the year 203.) and hardly we can think, that in the heat of persecution, which then did rage in all the *Romane* Provinces, the King would have imployed any in such a message. Thirdly, if our conversion had been wrought by Pope *Victor*, how came it that our Church was not fashioned to the *Romane* in outward Rites, especially in the observance of *Easter*, whereof *Victor* was so zealous, as he excommunicated all the Churches of the East for their disconformity with the *Romane* in that point? And it is clear, that for the space of many ages our Church did keep a form different from the *Romane*, and with much adoe was brought to accept their Customes and Rites. Last of all, the learned Cardinal *Baronius*, although he will have our conversion to be made by some one of the *Romane* Bishops, esteemeth this which is said of *Victor* no better then a fable; for how is it, sayes he, that neither *Beda*, nor *Marianus*, nor *S. Hierom* have made any mention of it? In all likelihood, if any such thing had been, some one or other of them would have remembered the same. Leaving therefore this conceit, and not deeming these other opinions very warrantable, if place may be given to conjecture, I verily think that under *Domitians* persecution, when the Apostle *S. Iohn* was relegated to *Pathmos*, some of his disciples have taken their refuge hither, and been the first Preachers of the Gospel in this Kingdom. And this I am induced the rather to believe, because in that hot contention moved about *Easter*, some two hundred yeares after, I finde our Church did still retain the custom of the Oriental, and maintain their practice by the authority of *S. Iohn*, from whom they pleaded to have received the faith. But whatsoever be in this, sure not long after the Ascension of our Lord, at least whilest the Apostle Saint *Iohn* yet lived, the faith of Christ was known and embraced in divers places of this kingdom, so as we may truly glory in this, that we were *inter primitias*, as *Origen* speaketh, amongst the first-fruits of the Gen-
tiles

tiles gathered unto Christ, this made that venerable Abbot *Petrus Cluniacensis*, call the Scots *antiquiores Christianos*, of greater Antiquity then many others.

But to return to King *Donald*; it was in his purpose to have rooted out Paganisme, and planted the Christian Faith every where in his Kingdome; but whilst he was about to do it, the Emperour *Severus* put him to other businesse; he thinketh to take in the whole Isle, and joyn the same to the *Romane* Empire, entered into *Britaine* with a mightier Army then had ever here been seen, and leaving his son *Geta* in the South, went himself in expedition to the North parts, making no stay (though he was gowty and compelled to travel in a litter) till he was come to the utmost ends of the Isle; The Scots in the mean time keeping the Marishes, and Mountains, though they durst not encounter the *Romane* forces because of their numbers, yet did annoy them much, taking them at advantages; which *Severus* perceiving, and that there were no means utterly to subdue them, as he had first intended, he made offer of peace, if so they would quit what they possessed betwixt the Wall of *Adrian*, and the River of *Forth*. The condition, though hard and unreasonable, was yielded unto by the Scots, who desired to be freed of so mighty an enemy; and he to exclude them from the rest of *Britaine*, did raise a wall of stone betwixt the Rivers of *Forth* and *Clyde*, two and thirty miles long, fortifying the same with Bulwarks and Watchtowers in many places: Nor was it long after this peace obtained, that King *Donald* departed this life; whereupon the Christian Religion for many yeares was little or nothing promoted.

For *Ethodius* that succeeded was a Prince of no government, and the Kings that came after him all unto *Cratilius*, either wickedly inclined, or intangled with warres and troubles; but *Cratilius* coming unto the Crown in the year 277. made it one of his first works to purge the Kingdome of heathenish superstition, and expulse the *Druids*, a sort of Priests, held in those dayes in great reputation. Their manner was to celebrate sacrifices, and perform their other rites in Groves, with leaves and branches of Oake, and thence saith *Pliny*, they were called *Druides*; for *δρῦς* in the Greek language doth signify an Oake. *Cæsar* in his Commentaries doth further write, that besides the managing of sacrifices which were committed to them, they were trusted with the decision of controversies, private and publick; and that such as would not stand to their judgement, were interdicted from being present at their sacrifices and holy rites; which was taken for a grievous punishment. It is likewise testified of them, that they were well learned in all natural Philosophy, men of moral conversation, and for Religion not so grossely ignorant and superstitious, as other heathen Priests; for they taught, „That there was one only „God, and that it was not lawful to present him in an image: That the soules „of men did not perish with the bodies, and that after death men were rewarded „according to the life they led on earth. Some also have written that they did prophesie of the conception of a Virgin, and of the birth of him who should be the Saviour of the world: But that such mysteries were revealed unto them, and so plainly as the Prophets of God in the Old Testament had scarce the like, is not credible. They lived likewise in great respect with all sorts of people, and ruled their affaires very politicly; for being governed by a President, who kept his residence in the Isle of *Man*, (which then was under the dominion of the Scots) they did once every year meet in that place to take counsel together for the ordering of affaires: and carried matters with such discretion, that *Cratilius* found it difficult enough to expulse them, because of the favour they had among the people.

But that which furthered not a little the propagation of the Gospel in these parts, was the persecution raised by *Diocletian*, which at that time was hot in the South parts of *Britaine*. This brought many Christians, both Preachers and Professors, into this Kingdom, who were all kindly received by *Cratilius*, and had the Isle of *Man* given them for their remaining, and revenues sufficient assigned for their maintenance. In this Isle King *Cratilius* erected a stately Church to the honour of our Saviour, which he adorned with all necessary ornaments, and called *Sodorense fanum*, that is, the Temple of our Saviour; hence it is, that the Bishops of the Isles are styled *Sodorenses Episcopi*. For so long as that Isle remained in the pos-

An. 277.

Buchan. li. 4.
Severus his expedition into Britain.

An. 277.

King Cratilius expulses the Druides.

A short description of the Druides.

Diocletian his persecution.

Sodorense fanum.
Boeth li. 6.

An. 360.



Amphibalus the
first Bishop of
Man.

session of the *Scots*, the Bishops of Isles made that Church their Cathedral. After their dispossession, the Isle *Jona*, commonly called *Hecombekil*, hath been the seat of the Bishops, and continueth so untill this day.

Culdees, why so
called.
Boeth, l. 6.

In this Isle *Amphibalus* sate first Bishop, a *Britaine* born, and a man of excellent piety; he lived long, preaching carefully the doctrine of Christ both amongst the *Scots* and the *Picts*, and after many labours taken for promoting Christian Religion died peaceably in the same Isle. Our stories report that at the same time there lived in this Kingdom divers zealous and notable Preachers, of which number they name these six, *Modocus*, *Prifcus*, *Calanus*, *Ferranus*, *Ambianus*, and *Carnocus*; that seem to have been men of principal note, and of them all generally it is witnessed, that living solitary, they were in such a reputation for their holiness of life, as the Cells wherein they lived, were after their deaths turned into Temples or Churches. And of this it came that all the Churches afterwards erected, were called *Cells*, which word I hear is yet retained amongst the Irish *Scots*; The Priests they termed *Culdees*, which *Hector Boeth* thinks to have signified as much as *Cultores Dei*, the worshippers of God; but it is more like this title was given them for their living in these Cells, whereas people assembled to hear service: somewhat it maketh for this, that in certain old Bulls and rescripts of Popes, I finde them termed *Keledei*, and not *Culdei*.

Bishops in
Scotland at the
first planting
of the faith.
Boeth *ibidem*.

The same *Boeth*, out of ancient Annals, reports that these Priests were wont for their better government to elect some one of their number by common suffrage, to be chief and principal among them, without whose knowledge and consent nothing was done in any matter of importance; and that the person so elected, was called *Scotorum Episcopus*, a *Scots* Bishop, or a Bishop of Scotland. Neither had our Bishops any other title whereby they were distinguished, before the dayes of *Malcolm* the third, who first divided the countrey into Dioceses, appointing to every Bishop the limits within which they should keep and exercise their jurisdiction. After that time they were stiled either by the countreys whereof they had the oversight, or by the City where they kept their residence.

But to return to *Cratilius*, during his Reign, Christian Religion did prosper exceedingly, and *Fincormachus* his Cousin-germane that succeeded, keeping the same course, gave in his time a perfect settling unto it: So great a happiness it is to have two Kings of qualities alike good, succeed one to another; for what the one beginneth, the other doth perfect and accomplish.

Anno 360.

Maximus the
Roman prefect
practiseth with
the *Picts* against
the *Scots*.
Bouch, li. 6.
Buchan, li. 5.

Yet this felicity endureth not long, the state both of the Kingdome and Church, being within a few yeares after his death quite overturned by this occasion; *Maximus* a man born in *Spain*, but of *Romane* education, being sent Lieutenant into *Britaine*, and presuming to bring the whole Isle under his power, did practise secretly with the *Picts* for rooting out the *Scots*, promising that all the lands which the *Scots* possessed should be given to them. The *Picts* a perfidious people, greedily embracing this offer, did joyn their forces with the *Romanes*, and both made invasion upon the *Scots*; who doing the best they could for their own defence, after divers sharp encounters, in a battel fought at the water of *Dun* in *Carrick* were wholly defeated, and King *Eugenius*, with the most part of his Nobility, slain.

The *Scots* ex-
iled.
Euchan, li. 4.

This defeat was followed with a rigorous edict, commanding all the *Scots*, of what age, sexe, or condition soever, to depart out of this Isle before a certain day: which was so precisely executed, as neither man nor woman, young nor old, were permitted to stay; nay not a Church-man (though all of that profession were in good esteem among the *Picts* themselves at the time.) Thus all the *Scots* went in exile, betaking themselves some into *Ireland*, others into the countreys of *Denmark*, *Norway*, *Sweden*, or where it was in their fate to be cast: onely some few Churchmen, after they had long wandred from place to place, got privately into *Jona* one of the West Isles; where living in a poor condition, they laid the foundation of a Monastery, which in succeeding ages became famous by the beneficence of our Kings, and the sanctity of the Monks that there professed. Never was any Church or Kingdom brought to a greater desolation, but how long it continued, our writers do not agree; for *Boeth* will have the *Scots* to live in exile the space of

of 44. years, and saith, that they returned in the year 422. *Buchannan* casts their return into the year 404. and so maketh their exile to have lasted 27. years only. *An. 370.*

Now whilest they lived thus exiled, it happened that one *Regulus* a Grecian Monk arrived in these parts. This man (as they write) living in *Achaia*, had warning given him in a vision by night to forsake his countrey and go into *Albion*, an Isle sited in the utmost parts of the world, and to carry with him the Arm-bone, three fingers, and as many toes of *S^t. Andrew* the Apostle. The man troubled at first with the strangeness of the vision, did after a little time resolve to follow the warning, and take a little box in which he put those Reliques, went to sea, taking some persons in company with him; The story nameth *Damianus* a Priest, *Gelasius*, *Thebaculus*, and *Mermacus*, brother to *Damianus*, Deacons; *Nerinus* and *Elisenius* a Cretian, *Merinus* and *Silvineus* his brother, Monks by profession: Some eight more are said to be in his company, but their names are not expressed. The ship wherein they sailed being tossed with grievous tempests, was driven at last into the Port or Haven called then *Otholinia*, now *S^t. Andrewes*. *Regulus arrives into Albion. Anno 370.*

Hergustus King of *Picts*, under whose dominion that part of the countrey as then was, advertised of the strangers arrive, and the Reliques they had brought with them, came thither, and pitying their losses, (for besides the Reliques they had nothing saved) When he beheld the men, and the form of their service, did so like it, as he took order for their entertainment; shortly after he gave unto *Regulus* his own Palace, with certain lands adjoyning, and nigh thereunto erected a Church (the same whereof we see a part yet remaining on the South of the ruined Cathedral, called to this day *The Church of S^t. Rewle*.) Here did *Regulus* and his company abide, serving God devoutly, and for the austere life they led, were in great reputation with all men. *Hergustus King of the Picts, gave his Palace to Regulus.*

Whether *Regulus* had such a vision or not, I leave it to those that list to believe. But that he did bring with him such Reliques is not improbable; for in these times Christians did hold the bones and reliques of *Martyrs* in a respectful reverence: which doth in no sort justify the abuses which afterwards crept into the Church, when from the keeping of Reliques, they grew to worship and adore them; yea, and in many places, Priests out of their covetousnesse did use impostures, foisting in the bones of Asses and other beasts in stead of the Reliques of Martyrs and Saints departed. These and the like abuses did justly bring the keeping and carrying about of Reliques to be detested. In the time of persecution, when the bodies of Martyrs were thrown into the fields and cast into dung-hills, it might be held a charitable and pious work to gather and preserve them: but now that those things are superstitiously used, and vile receipts therewith practised, no wise man will allow such follies. Better it were, as *Cassander* advised, to incite people to the imitation of the Saints vertues, then to reserve their bones which can serve to no use, and savoureth only of vain ostentation.

But leaving this, let us follow the story. In the battel wherein *Eugenius* fell, *Echadius*, or as others call him, *Ethodius*, his brother being sore wounded and found among the dead, was saved by the clemency of the *Romane* Prefect, and flying into *Denmark* with his young son *Erthus*, was received by the King of that Countrey, and kindly entertained. This *Erthus* matching with one *Rocha* the daughter of a Nobleman in these quarters, had by her a son called *Fergus*, a Prince of much valour, who growing in years, and his Father and Grandfather both deceased, out of an innate hatred against the *Romanes*, joyned with the *Franks* in a war they made upon the *Gaules*, that were subject to the *Romanes*. That expedition not succeeding, he followed *Alarick* King of *Gothes*, and was with him at the sack of *Rome*; *Alarick* dying, he served under *Athaulfus* his successeur, and by the fortunate exploits he made, purchased the reputation of a great Captain: The same whereof (with the newes that were daily brought of the defection of the *Romane* Provinces, and of the irruptions made upon the Empire by the *Gothes*, *Vandals*, *Franks*, and other Barbarians) gave the *Scots* encouragement, and put them in some hopes of returning to their countrey. Once or twice by the help of the *Irish*, having sought to repossess themselves, still they were put to the worst. But *Maximus* in end pro-

An. 404. claiming himself *Cæsar*, and transporting beyond Sea the whole power of *Britain*, they resumed new courage, and upon advertisement of *Fergus* his return to *Denmark*, did intreat him to take the opportunity, and do somewhat for himself, and for his countrey. The *Picts* in the mean time being held in miserable subjection by one *Victorinus* a new Governour sent into *Britain*, and so repenting the course they had taken, did secretly reconcile with *Fergus*, offering restitution of all they possessed belonging to the *Scots*, and their assistance for recovering the rest.

Anno 404.
King *Fergus*
came to the
Firth of *Murray*.
Boeth. l. 7.

He repaired
the Churches.

King *Fergus*
vanquished and
slain.
Boeth. li. 7.

Fergus upon these advertisements prepared to return, and with him divers voluntaries of the *Danes*, *Norwegians*, and others did joyn; besides the *Scots* that lived exiles in those parts. With this company taking Sea, on the eight day after his embarking he landed in the Firth of *Murray*; and from thence marching directly to *Argyle*, where the *Chaire of Marble* was kept, was placed therein, and crowned with the Rites accustomed. The news hereof dispersed, there gathered to him from all parts numbers of people, with whom in a short time he recovered all the countreys, out of which the *Scots* had been expelled. The *Britains* upon this sent to implore aid of the *Romanes*; of whom they obtained the supply of a legion under the conduct of *Heraclianus*; but he making no long stay, one *Placidius* was left in place, whom *Fergus* overthrew in battel, and forced to seek peace. This concluded, *Fergus* dividing the lands among the *Scots*, and strangers that had ventured with him, did reorder all things according to the ancient form. The Churches that were ruined or defaced, he caused repair, restored the Church-men to their places, and in the Isle *Jona* erected a religious house, with a Library furnished with the books that he had brought with him from *Rome*. Never was any Prince more nobly given, nor in so short space performed greater actions, having regained the Kingdom that was lost, and reduced it to a better estate then before: neither had he ceased there, if the *Romanes* had not fallen upon him with a fresh power, and sent one *Maximianus* hither, by whom he was in battel vanquished, and slain in the sixteenth year of his Reign.

Greem battered
the wall of
Severus.
Buch. l. 5.

This overthrow did so terrifie the *Scots*, that they looked for nothing but to have been chased again forth of the Isle; but the irruptions made upon all the parts of the Empire, did not suffer the *Romanes* to make long stay, wherefore having repaired the *Wall of Severus*, and made it much stronger then it was at first; they departed, advising the *Britains* to use their own forces without any more expectation of succour from them. Upon intelligence of their departure, *Greem* a Nobleman of *Britain*, who had lived long among the *Scots*, and whose daughter King *Fergus* had married, raised an Army, and battering down the Wall which the *Romanes* had fortified, chased the *Britains* beyond the wall of *Adrian* an hundred miles more inward, and forced them to accept that for the march, and content themselves with the lands lying in the South of that Wall. Peace on these terms made with the *Britains*, *Eugenius* the eldest of King *Fergus* his sonnes was declared King: and because he was yet within yeares, the *Regency* of the Realm committed to *Greem* his Grandfather; which he discharged so well, as whilest he lived, there was no trouble either within or without the Kingdom.

Eugenius assisted by the
Picts, overcometh the
Britains.

Anno 450.

S. Ninian.

But he dying, *Eugenius* (who was then grown to some years) laying claim to his Grandfathers lands, did repeat the same by his Ambassadors, and the *Britains* defending themselves by the conditions of the late peace; when after divers messages no satisfaction could be had, war was of new raised. The *Picts* assisting the *Scots*, a fore overthrow was given to the *Britains*, and they compelled to resigne all the lands lying betwixt *Tyne* and *Humber*: which the *Scots* and *Picts* did peaceably enjoy unto the coming of the *Saxons*, about the year 450.

The Church notwithstanding these wars did flourish all this time by King *Eugenius* his favour. *Ninian* (he who with the posterity had the reputation of a *Saint*) was of great fame at that time. This man was born in *Britain*, and had his education in *France* under *Martine* Bishop of *Towers* his grand Uncle: having remained there some years, and made good profit in letters; he returned into *Britain*, and became a zealous Preacher of the Gospel. His chief residence was amongst the *Picts* in the countrey of *Galloway*; there he built a Church all of white stone (a sort of structure

not

not usual in those parts) and called the same by the name of *S. Martine*, not meaning to have him taken for the *tutelary Saint* of that place, (which in after-ages, when superstition prevailed, was the conceit of the people) but to preserve the memory of his vertues, and incite others to the imitation thereof: This was the chief respect in those first times that Christians had in denominating their *Churches* by the names of *Saints departed*; that other they utterly disclaimed. *Nos Martyribus nostris*, (saith *S. Augustin*) *non templum sicut diis fabricamus, sed memorias sicut hominibus mortuis, quorum apud Deum vivunt spiritus*; We do not build Temples to our Martyrs as unto Gods, but memorials as unto dead men, whose spirits with God are still living.

An. 450.

St. Augustin. de civitate Dei. li. 22. cap. 10.

Bede in his Ecclesiastick story speaking of this *Ninian*, saith, that he learned at *Rome*, and was there taught the mysteries of truth. But we cannot think that he went a novice thither, being trained up under so kinde and learned an Uncle: as ever that was, he proved a notable instrument in the Church; for he converted the *Southern Picts* to the faith of *Christ*; and for his continual labours in preaching (not among them alone, for he travelled also among the *Scots* and *Britains*) but especially for his innocency and holiness of life, he was in so great regard, as to which of the three soever he came, they did reverence and accept him as the messenger of *Christ*. Among the *Bishops of Galloway* he is reckoned the first, and thought to have been the Founder of that Colledge; for from that Church which he built all of *white stone* (as we said) the Bishops of that See have still been, and to this day are styled *Episcopi candidæ case*.

Beda his Ecclesiast. Hist. li. 3. cap. 4.

It was in the time of this *Eugenius* that *Palladius* came into *Scotland*, imployed, as they write, by *Celestine* Bishop of *Rome*, for resisting the *Pelagian heresie*, which began to spread in this Church. This man a *Grecian* by birth, learned, moderate, and singularly wise, as appeared in all his actions, did purge the Church from those errors, and wonne such love and credit, as by the space of 24. years he governed all Ecclesiastick affairs in these parts without any grudge or opposition.

Palladius sent into Scotland by Pope Celestine. Beda li. 1. c. 13.

Buchanan is of opinion, that before his coming, there was no Bishop in this Church; Nam (saith he) *ad id usque tempus, Ecclesia absque Episcopis per monachos regerantur, minore quidem cum fastu & externa pompa, sed majore simplicitate & sanctimonia*: that is, The Church unto that time was governed by Monks without Bishops; with lesse pride and outward pomp, but greater simplicity and holiness. What warrant he had to write so, I know not, except he did build upon that which *Joannes Major* saith, speaking of the same *Palladius*, *Per sacerdotes & monachos, sine Episcopis, Scoti in fide erudiebantur*; The Scots (he sayes) were instructed in the Christian faith by Priests and Monks, without any Bishops. But from the instruction of Scots in the faith to conclude, that the Church after it was gathered, had no other form of government, will not stand with any reason. For be it as they speak, that by the Travels of some pious Monks the Scots were first converted unto *Christ*; it cannot be said that the Church was ruled by Monks, seeing long after these times it was not permitted to Monks to meddle with matters of the Church, nor were they reckoned among the Clergy. As to the *pride* and *pomp* which he taxeth in Bishops, of later times it might be truly spoken; but after *Palladius* coming for the space of six hundred years and more, there was no such excess to be noted in them.

Buch. li. 5.

Buch. his opinion refuted.

Monks not reckoned among the Clergy.

But to return to *Palladius*; he was a man most careful in promoting Christian Religion, and the first that made *Christ* to be preached in the *Isle of Orkney*, sending *Servanus* one of his disciples thither. Another called *Tervanus* he employed among the *Northern Picts*, and ordained both of them Bishops. His own remaining for the most part was at *Fordon* in the countrey of *Mernis*, where he built a little Church, which from him is to this day by a corrupted word called *Padie Church*: There was his corps after his death interred. In the year 1494. *William Shenez* Archbishop of *S. Andrews*, visiting that Church, did in reverence of his memory gather his bones, and bestow them in a silver shrine; which, as the report goeth, was taken up at the demolishing of the Churches, by a Gentleman of good rank who dwelt near unto that place. The people of the countrey observing the decay which followed in that family, not many years after, ascribed the same to the violation of *Palladius* grave.

Servanus and Tervanus, ordained Bishops by Palladius. Boeth. li. 7. Hist. li. 4.

An. 491.

*St. Patrick the
converter of
Ireland.
Bar. cont. 1.
Bacon. to. 5. in
Anno 491.
Scot. 191.
 Camden in the
description of
Ireland.*

Much about this time was *Ireland* converted to the faith of *Christ*, by the labours of *Patrick* a *Scotchman*, born upon the River of *Cluid*, not far from *Glasgow*. They write of him, that being thirteen yeers of age only, he was taken prisoner by some *Irishes* at an invasion they made upon the West parts of *Scotland*, and sold to *Moluc*, one of their Kings: being kept there as a slave the space of four years, he was ransomed by his parents, and sent to school; where having made a reasonable progresse in letters, he went to *France*, and there remained 18. years in the company of *German* Bishop of *Auxerre*, under whom he attained to a great perfection of knowledge, especially in the holy Scriptures. Thereafter travelling to *Rome*, Pope *Celestine* (the same that sent *Palladius* to *Scotland*) hearing of his qualities, and how he had lived some years in *Ireland*, made choice of him as the fittest person to work the conversion of that people. *Patrick* accepting the imployment, addrested himself shortly after to the journey, and in his way by *Scotland*, took with him *Columba* (who came afterwards to be in great esteem.) Divers upon the report of his good successe, followed him thither; and ere many moneths passed, all the countrey almost was brought to embrace the profession of *Christ*.

*John Butlers
in descriptione
Britanniae.*

He was doubtlesse a notable person, and most worthy to be remembred; some idle and ignorant Monks have pitifully wronged his memory by their *Legends*. But what a singular man he was, and what pains he took to do good in his lifetime; the *Churches* he founded, reckoned to 365. and the *Priests* he ordained, numbered to be *three thousand*, may sufficiently witnesse. He lived 122. years, and ended his days in the city of *Downe* within the Province of *Ulster*, in the year of our Lord 491. That fabulous *Purgatory* (the invention whereof is falsly ascribed to him) was the device of a *Monk* of *Glastenbury Abbey* in *England*, who bare the same name, but was of a much later time, and lived about the year 850. For the opinion of a *fiery Purgatory*, in which souls are tormented after their going forth of the body, was not then known among *Christians*; nor did the ancient *Irish* believe any such matter.

An. 491.

*Sedulius edu-
cated under
Hildebert a Bi-
shop.*

*Est. cont. 14.
Lest. li. 4.*

Anno 494.

*Gratian decret.
par. dist. 15.*

In our Church at the same time, one *Hildebert* a Bishop was in great accompt for his learning and piety. *Celius Sedulius* had his education under him, a man of excellent qualities, as his works yet extant both in *prose* and *poesie* do witnesse: how long *Hildebert* lived he aboad in his company, but after his death he betook himself to travel, and journeying through *France* and *Italy*, sailed unto *Greece*; there he wrote certain explanations upon the *Epistles* of *St. Paul*, and returned from thence to *Rome*, made his abode in that city. In a Synod gathered by *Gelasius* Bishop of *Rome*, in the year 494. one of the Canons then made touching books allowed, we read these words: *Venerabilis viri Sedulii Paschale opus quod heroicis descriptis versibus insigni laude proferimus*. We esteem the *Paschal* work, that venerable *Sedulius* composed in heroick verses, worthy of singular recommendations. And even at this day in the *Church of Rome*, certain *hymnes* compiled by him, are sung in the Festivals of the *Nativity*, and *Epiphany*; which sheweth in what esteem he was held.

*Sedulius proved
to be a Scottish
man against
the Irish writers.*

Some *Irish* writers contend, that this *Sedulius* was their countrey-man born, as the like they affirm of all that were of any note in our Church in those first ages. And albeit in divers of his works he doth intitle himself *Sedulius Scotigena*, and that *Sixtus Senensis Trithemius*, *Baronius*, and divers others, do all witnesse him to be of the *Scottish* Nation, yet they will have him to be an *Irish*, because forsooth in those elder times the name of *Scoti* was common to the inhabitants of the *greater* and *lesser Scotland*; But this reason is naught: for granting that the countreys were so distinguished of old, and that *Ireland* was called *Scotia major*, and the part of *Britain* which the Colonie deduced from thence did inhabit, *Scotia minor*, whereof there is some appearance: yet that will not infer him to be an *Irish* more then a *Scot*. This I trust they will not deny, that *Scotland* was Christian long before *Ireland*, and that *Sedulius* of whom we speak, was come to a good age before *Patrick* went about their conversion. Now if he had been an *Irish* by Nation, would not he much rather have imployed his travels to instruct his countrey men in the truth, then have spent his time abroad among strangers? Further, I should desire these who plead so earnestly to have our men esteemed to be of their countrey, to name any

any one another worthy of credit, that since the *Scots* were reduced from their exile by *Fergus* the second, did ever call *Ireland*, *Scotland* the greater. They will not finde any of trust: the name of *Scots* being long before appropriated to the *Colonie* reduced from thence, and quite extinct among the *Irish*. It is true, that we oft finde the *Scots* called *Irishes*, like as yet we term commonly our *Highland-men*, in regard they speak the *Irish language*, and retain divers of their customes. But that the *Irish* were called *Scots*, or the countrey of *Ireland* called *Scotland*, since they grew to be different nations, and were known to be so, I am confident will not be shewed. To close this; howsoever *Ireland* be the *Mother*, and *Scotland* the *daughter*, as a reverend Prelate hath written, & we deny not: (for our first progenitors we hold came from that countrey) there is no reason why the *sons* which the *daughter* hath brought forth, should be reckoned the sons of another *Mother*, and she thereby robbed of her honor.

An. 500.

Scotland a Colonie deduced from Ireland.

But to our story; the condition of this Church in those times was most happy, all the care of Preachers being to winne souls unto *Christ*; *Avarice* and *Ambition*, the two main pests of the Church, had not as yet seised upon them, so as they were held with all people in great veneration. *Beda* saith, that *whosoever did meet them by occasion, either in the streets, or otherwise in journeying by the way, they would not depart without their blessing*. And which increased greatly the felicity of the time, the *Kings* who then reigned, were all *wise* and *religious*.

Anno 500.

Congallus the second deserves by the rest to be mentioned; *Vir ob egregias virtutes* (saith *Buchannan*) *omnium seculorum memoria dignus*; *Nam prater aquitatem in jure dicundo, & animum adversus avaritiam invictum, certabat moderatione vita cum Monachis, qui ea etate severissima disciplina utebantur*. This is; he was a man for his notable vertues worthy to be had in everlasting remembrance; For besides his equity in the ministration of Justice, and the uncorrupt mind he carried, being free of all covetousnesse, in moderation of life he was nothing inferiour to the Monks, who in that age observed a most strict discipline. This good King considering how easily people are brought to contemn Ministers, that stand in need of their supply, and that the contempt of Ministers breedeth ever contempt of Religion; did carefully provide for their necessities, appointing to them *Mansion places* at the Churches where they served, with a competent portion of *land* thereto adjoyning, and declaring the *tenth* of all *cornes, fruits, herbs, and flocks*, which did either produce or nourish, to appertain properly to the Church. He did further enact for the safety of their persons, *That if any should happen to smite a Church-man, his hand should be cut off; and if the Church-man was killed, that the murderer should lose all his goods, and be burnt alive*. For the greater reverence of Church-censures, it was likewise his ordinance, *That whosoever were by the Church excommunicated, should not be admitted to stand in judgement, nor credit given to their testimony*.

Congallus an excellent Prince. *Buch. in vita Congalli.*

Tithes declared to appertain to the Church.

A law for the safety of Church-men.

The fame of this Kings pious disposition, drew *Columba* back from *Ireland* where he had lived a long time. There came with him some twelve in company, of whom the principals were, *Sibthacus* and *Ethernanus*, his nephews by his brother, both of them Presbyters, *Domitius Ruheus*, and *Comineus*, men of excellent learning, and good behaviour, who were all well accepted of the King. But of *Columba* he made such accompt, as he did nothing in any matter of importance, till he had first consulted with him. By his advice the Monks that in former times lived dispersed, were gathered into *Cloysters* or *Colledges*, and had *Rules* prescribed unto them: which falling afterward to be neglected, in place of *religious Monks*, there crept in a sort of *idle-bellies* that disordered all things, and made the profession which in the beginning was well devised, to be disliked and hated of all.

Columba returneth into Scotland. *Scoticbron. li. 3.*

Boeth li. 9.

Monks placed in Monasteries.

King *Congallus* after a little time sickning, sent *Columba* into *Ireland* to bring home *Aidanus* the right heir of the Kingdom, (who had fled thither after the murder of his Father *Goranus*) that he might possesse him with the crown before his death: But ere he returned, the King was dead, and his brother *Kinnatellus* crowned King. This accident troubled *Columba*, and made him doubtful what to do; For if he should send *Aidanus* back, he knew not how *Kinnatellus* would take it; and to go on, not knowing how the King stood affected towards *Aidanus*, he held it dangerous. After a little debating with himselfe, he resolved to hold forward, and taking

Columba sent to bring *Aidanus* the heir of the Crown from Ireland.

Congallus dieth to whom his brother succeedeth.

An. 603.

Boeth. li. 9.
Buchan. li. 5.
L. fl. li. 4.

Aidanus crowned King.

Columba retired to the Isle of Jona.

Aidanus makes warre against the Picts.

Aidanus rebuked by Columba.

Aidanus forced to take up Arms against the Picts.

The Picts overcome, and Aidanus gets the victory.

Columba dieth in the year of our Lord, 603.

Boeth. li. 9.

taking *Aidanus* in company, did present him to the King; who against the expectation of most men, accepted him most lovingly, bidding him be of good heart, for he should in a short time inherit his fathers Crown; mean while because of his own age and infirmity, he committed to him the administration of affairs, and designed him his successor. After a few dayes *Kinnatellus* dying, *Aidanus* was crowned King, *Columba* performing the ceremonies; at which time he is said to have made a most pithy and eloquent speech, exhorting the King to the love of Justice, the Nobles to the observance of Peace, the people to obedience, and them all to constancy in the Christian profession: wherewith the whole Assembly was so much affected, as by holding up their hands, they did solemnly swear to continue loyal subjects to the King, and to be obedient to him as their spiritual Pastor.

The Coronation ended, *Columba* retired to the Isle *Jona* (for he loved to remain in that place) and *Aidanus* applying himself to order the Estate, went through the countries of *Galloway*, *Cathnes* and *Lochaber*, holding Justice-Courts in all these parts, and reforming what he found amisse. But, as no prosperity is lasting, it happened in a sport of hunting, that some Noble-men falling at discord, there was a great slaughter committed, the Authours whereof fearing the severity of Law, fled to *Breudens* King of the *Picts*, and being remanded according to the conditions of the league, were after some delayes directly refused. *Aidanus* taking this to heart, whilest he sought to recover them by force, had his son *Arthur* (*Buchannan* calleth him *Griffin*) a Prince of great hopes, and *Brenden* his Nephew, with divers of his Nobles, killed. *Columba* grieved with this accident came to the King, and rebuked him bitterly for making warre with his neighbour upon so light an occasion; wherewith he is said to be no lesse moved then with the losse he had received: for *Columba* striving to be gone, he caught him by the hand, and confessing he had been too hasty, entreated his best advice, and counsel how to repair things. But he replying that no advice could redresse the harm that was done; the King burst forth into tears: *Columba* fell also a weeping; and after a little space, said that he would counsell him to make peace: which he was content to do at his sight. The matter moved to *Brudeus*, he likewise agreed to remit all to *Columba*, who shortly after brought them to be friends. But the heart-burning between the two people ceased not, which *Ethelfrid* King of *Northumberland* (a wicked and avaritious man) craftily entertained, stirring the *Picts* to make fresh incursions upon the *Scots*, so as *Aidanus* was compelled to take Arms; *Columba* being advertised of the necessity the King was put to, gave order that private supplications should be made for his safety, and the overthrow of his enemies: which falling out according to their wishes, was generally ascribed to *Columba* his devotion. For as the report went, in the same hour wherein the enemies were defeated, he did call his Collegues together, and willed them to turn their prayers into thanksgiving, for that the King had obtained the victory: yet was the place of the conflict distant from *Jona*, where *Columba* lived 200. miles at least.

The year following, which was the year of our Lord 603. *Columba* died being of a good age; neither did the King *Aidanus* long survive him. The *Irish* contend that *Columba* died in the City of *Down*, and was buried in *St. Patricks Tomb*; and for verifying the same, alledge an old Distick, which was (they say) engraven upon the Tomb, and defaced only in the dayes of King *Henry* the eighth.

*Hi tres in Duno tumulto tumultantur in uno,
Brigida, Patricius, atque Columba pius.*

But it carrieth no likelihood that *Columba* being so farre in years, would make a journey into *Ireland*, or that *Aidanus*, who loved him so dearly, would suffer him to depart whilest he lived. It may be that upon some occasion his bones were translated thither, yet the pilgrimages made in superstitious times to the Isle *Jona* for visiting his grave, do shew what the received opinion was of his death and burial.

Kentigern, or St. Mungo.

Kentigern, commonly called *St. Mungo*, was famous also at this time, and one most familiar with *Columba*; he was the son of *Thametes* daughter to *Loth* King of *Picts*,

Picts begotten (as was supposed) by *Eugenius* the third King of *Scots*, his father not being certainly known, posterity not being willing that his birth, whom they so greatly esteemed, should be in any sort stained, gave out that he was *born of a Virgin*: which was believed of simple and credulous people. But the reproach which lay upon him that way, he overcame by his singular vertues; in his yonger yeares being trusted to the education of *Servanus* Bishop of *Orkney*, he gave tokens of his rare piety; for he was in prayer more frequent then yong ones are usually seen to be, of a spare diet, and so compassionate of the poor, as all that came in his hands he distributed among them: *Servanus* his Master loving him beyond others, was ordinarily wont to call him *Mongah*, which in the *Norish* tongue, signifieth a *deare friend*; and this way came he to be called *Mungo*.

An. 500.

Boeth li. 9.

Mongah in the *Norish* tongue signifieth *deare friend*.

Kentigern his journey to *Wales*.

After *Servanus* death he went to the countrey of *Wales* in *England*, where living a solitary life, he founded a Monastery betwixt the Rivers of *Elwid* and *Edwy*. They write that in his Monastery there were daily entertained six hundred threescore and three persons: of which number three hundred were kept at some manual work within the Monastery; other three hundred did labour in the fields, and practise husbandry; and the rest being appointed for divine service, had the day and night divided among them, so as one company succeeding to another, there were some alwayes in the Church, praying and praising Almighty God. Having stayed there a few years, he resigned his place to *Asaph*, a godly and vertuous man; and returning to *Scotland*, he made his abode at *Glasgow*, where he layed the foundation of a stately Church, and was therein at his death interred. It is affirmed that after he came to years of understanding, he did never eat flesh, nor taste wine or any strong drink; and when he went to rest, slept on the cold ground, having a stone for his pillow; and that notwithstanding he lived thus hardly, he did attain to the age of ninescore and five years. Many lying miracles have been ascribed unto him; but certainly he was a man of rare parts, and worthy to have been made a subject of truth to posterity, not of fables and fictions, as the Legends of Monks have made him.

Kentigern his austere life and death.

Baldred and *Convallus* were his disciples, and zealous preachers of the truth; the first served for the most part in *Lothian*, which as then was under the dominion of the *Picts*, and was so beloved and honoured in his life, as after his death the Parishes of *Aldham*, *Tuningham*, and *Preston*, did contend who should have his corps to bury. As they grew to some heat, the Bishop of the bounds (the story doth not expresse his name) intervened, and willed the people to deferre the funeral to the next morrow, and in the mean time be earnest in prayer with God, that he would declare his wil in that businesse. The next day they found three Coffins with as many corpses, betwixt which, no difference could be perceived; and interpreting this for a miracle, went away each of them with a Coffin, well satisfied and pleased. What policy the Bishop used in this is not known, but hereby we may see how easily people were in those times led with their teachers. The other, *Convallus* lived at *Inchynnan* some seven miles from *Glasgow*, and made the Oration at the funeral of King *Aidanus*; in which he foretold many things that came afterward to passe, touching the state of the Kingdome.

Baldred and *Convallus* were *Kentigern*'s disciples.

Boeth li. 9.
Lest li. 4.

Convallanus Governour of the Monastery in *Fona*.
Boeth ibidem.

There lived at this time in the Isle of *Fona* one *Convallanus* who was Governour of that Monastery, a man of excellent holiness and learning; from under his hand as they write, *prodierunt examina sanctissimorum virorum*; hives or multitudes of most holy men came forth. Among these are named *Mornanus* a Bishop, *Cormachus* a Presbyter, *Hebred*, *Dunstan*, *Fonas*, *Gabrianus*, *Gallus*, and *Columbanus*; all famous men for their holiness of life. *Gallus* travelling into *Switzerland* was in great esteem, and having converted many to the faith of Christ, laid there the foundation of a Monastery, which was afterward greatly enriched, and to this day is called by his name *S. Gall*. *Columbanus* in *Burgundy* did found the Abbey of *Luxeuile*, resolving to make his abode in these parts; but the licentiousness of King *Theodorick*, whom by no means he could reclaim from his unchast life, did enforce him to change, so that going to *Italy*, in the borders thereof he settled himself, and there erected the Monastery of *Bobie*.

Neither lacked there in the female sex examples of rare piety. *Brigida*, commonly

Brigida.

An. 518.



Booth li. 9.

Brigida dieth
at Abernethy,

An. 518.

Anno 600.

Augustine the
Monk sent into
Britain.

Beda l. 3. c. 2.

The Britains
refuse to con-
form them-
selves to the
rites of Rome.A letter from
the Bishops of
England to
the Scottish
Church.

Beda l. 2. c. 4.

monly *S. Bride*, was above the rest renowned, both among the *Scots* and *Picts*: this woman was born in *Cathnes* of honourable parents, and the heir of a fair patrimony, which she voluntarily forsook, that she might be consecrated to God. Divers Virgins moved by her example, did in like sort apply themselves to the solitary life; not as the *Votarists* that in after times rose up, for they did not bind themselves by vowes to that which was not in their power, nor did they think to merit thereby at Gods hands; and the chastity they professed, they kept inviolate. Did the times wherein we live afford such Virgins, so farre are we from disliking that state of life, as we think it should bring a great benefit to the Kingdom. But the bondage of *vowes*, with the opinion of *merit* and *perfection* is it we discommend, things unknown to the holy women of those primitive times. Another *Brigida*, or rather *Brigitta*, there was born in *Sweden*; who, as *Trimethius* writeth, came to *Avignon* in the year 1362. to sue for the Popes confirmation to an Order of Nunnes by her invented: But our *Brigida* was of a much older time, and died at *Abernethy* in the year 518. where she was also interred.

Now are we come to the time in which *Augustine* the Monk was sent into *Britain*: *Gregory* Bishop of *Rome* did choose this man for planting Religion among the *English Saxons*, who had at that time subdued the *Britaines*, and driven them beyond *Severn* into narrow bounds. At his first arrival, he converted King *Ethelbert* to the Christian faith, and wrought much good. But whilest he strove to conform the *Britain* Churches to the *Romane* in rites Ecclesiastick, and to have himself acknowledged for the only *Archbishop of Britain*, he did cast the Church into a sea of troubles. After divers conferences, and much pains taken by him to perswade the *Britains* unto conformity; when he could not prevail, he made offer, that if they would yield to minister Baptisme, and observe *Easter* according to the *Romane* manner, and be assisting to him in reforming the *Saxons*, for all other things they should be left to their ancient customes. But they refusing to make any alteration, he fell a threatening, and said, *That they who would not have peace with their brethren, should finde warre with their enemies*. This falling out as he foretold, (for *Edelfrid* King of *Northumberland* invading them with a strong Army, slew at one time 1200. Monks that were assembled to pray for the safety of their countrey-men) made *Augustine* to be suspected of the murther, and did purchase him a great deal of hatred; whether he foreknew the practice or not, is uncertain, but shortly after the murther of these Monks, he himself died.

There succeeded to him *Laurentius*, a *Romane* also, who followed the businesse of conformity no lesse earnestly, and with his fellow Bishops, *Mellitus* and *Justus*, wrote to the Church of *Scotland* in this manner. *Dominis charissimis, Fratribus Episcopis, & Abbatibus per universam Scotiam*, *Laurentius, Mellitus, & Justus Episcopi, servi servorum Dei. Dum nos sedes Apostolica, more suo, sicut in universo orbe terrarum, in his occidentis partibus ad prædicandum gentibus paganis dirigeret; atque in hanc insulam, quæ Britannia nuncupatur, contigit introisse, antequam cognosceremus credentes, quod juxta morem universalis Ecclesiæ ingrederentur, in magna reverentia sanctitatis tam Britones quam Scotos venerati sumus; sed cognoscentes Britones, Scotos meliores putavimus; Scotos verò per Dagamum Episcopum in hanc quam supra memoravimus Insulam, & Columbanum Abbatem in Galliis venientem, nihil discrepare à Britonibus in eorum conversatione didicimus. Nam Dagamus Episcopus ad nos veniens, non solum cibum nobiscum, sed nec in hospitio quo vesebamur sumere voluit.* In English thus: *Laurence, Mellitus, and Justus Bishops, servants of all the servants of God; to our Lords and dearest brethren the Bishops and Abbots through all Scotland. While as the Apostolick See according to the custome it hath observed in the rest of the world, did send us to preach the Gospel unto the Heathen in these Western parts, and that it happened us to come into this Isle which is called Britain, we held in religious reverence both the Scots and Britains, believing that they did walk after the custome of the universal Church. But after we had known the Britains, we judged the Scots to be better minded; yet now we perceive by Dagamus the Bishop who is come hither, and by Columbanus the Abbot in France, that the Scots differ nothing in their observations from the Britains; for Bishop Dagamus being here, refused not onely to eat with us, but even to stay in the same Inne, or Lodging.*

I finde no answer returned to this letter; some thirteen years after, *Honorius* Bishop of *Rome* did move the matter of new, and in his letters directed to the Church of *Scotland*, exhorted them; *Ne paucitatem suam in extremis terræ finibus constitutam, sapientiore antiquis, sive modernis, quæ per orbem terræ erant, Christi Ecclesiis astimarent; neve contra Paschales computos, & decreta Synodalia totius orbis Pontificum, aliud Pascha celebrarent.* That they being a few, and seated in the utmost borders of the earth, would not think themselves more wise then the Ancient or Modern Churches of *Christ* through the whole world; and that they would not celebrate another *Easter* contrary to the *Paschal* compts, and Synodal decrees of the Bishops of the whole world.

An. 600.

Honorius writeth to the Church of *Scotland*.
Beda l. 2. c. 19.

Pope *Honorius* dying, *Severinus* that succeeded insisted for an answer, which was sent; but he also departing this life, before the same came to *Rome*, the Clergy there replied as followes: *Dilectissimis & sanctissimis, Thomiano, Columbano, Chromano, Dimao, Bathano Episcopis; Chromano, Hermannio, Laustrano, Stellanio, & Sergio Presbyteris; Sarano, caterisque Doctoribus seu Abbatibus Scotis: Hilarius Archipresbyter, & servans locum sedis Apostolicæ, & Johannes diaconus in nomine Dei electus, item Joannes primicerius, & servans locum sanctæ sedis Apostolicæ, & Joannes servus Dei, Consiliarius ejusdem sedis Apostolicæ. Scripta quæ latore ad sanctæ memoriæ Severinum adduxerunt, eo de hac luce migrante, reciproca responsa, ad ea quæ postulata fuerant, siluerunt. Quibus referatis, ne diu tantæ questionis caligo indiscussa remaneret, reperimus quosdam provinciæ vestræ contra orthodoxam fidem novam de veteri heresin renovare conantes, Pascha nostrum in quo immolatus est Christus nebula caligine refutantes, et quarta decima luna cum Hebræis celebrare nitentes. &c. Deinde exposita ratione Paschalis observantiæ, de Pelagianis subdunt. Et hoc quoque cognovimus, quod virus Pelagianæ hereseos apud vos denuo reviviscat: quod omnino hortamur, ut à vestris mentibus hujusmodi venenatum superstitionis facinus auferatur. Nam quæliet ipsa quoque execranda heresis damnata est, latere vos non debet; quia non solum per istos ducentos annos abolita est, sed & quotidiano nobis anathemate sepulta damnatur; & hortamur, ne quorum arma combusta sunt, apud vos eorum cineres suscitentur.* That is, *Hilarius* the Archbishop conservator of the priviledges of the Apostolick See, and *John* the Deacon in the name of God elect of the same See; likewise *John* the pro-notary and conservator of the said priviledges, and *John* the servant of God, Counsellor of the Apostolick See; to our best beloved and most holy Bishops, *Thomianus*, *Columbanus*, *Chromanus*, *Dimaus*, and *Bathanus*; and to the Presbyters, *Chromanus*, *Hermannus*, *Laustranus*, *Stellanus*, and *Serganus*; also to *Saranus*, and the rest of the Doctors or Abbots of *Scotland*. The letters which were brought unto Pope *Severinus* of blessed memory, have to this time received no answer, by reason of his decease; We having now unsealed them, lest questions of such consequence should be too long unsatisfied, do perceive some of your Province to be renewing an old heresie, against the Orthodox faith, and ignorantly refuse to celebrate our *Easter*, in which *Christ* was offered, observing the *fourteench Moon*, after the manner of the *Hebrewes*. Then shewing how, and when *Easter* should be observed, they subjoyn touching the *Pelagians* these words: We further understand that the poison of *Pelagian* heresie is again breaking out among you; wherefore we exhort you to beware, and to keep your mindes free of that venomous superstition; for ye should not be ignorant how that execrable heresie is condemned, and by us every day anathematized; notwithstanding that two hundred years since the same hath been abolished: therefore we beseech you not to stirre the ashes of those who have had their Armes once burnt and consumed.

A letter from the Clergy of *Rome* to the Church of *Scotland*.
Beda ibidem.

Beda setting down this letter saith, that it was full of learning, and contained evident proofes that *Easter* should be kept upon the Sunday which falleth betwixt the 15. and 21. of the Moon; Whereas it was the custome of the Scots Church to keep it upon the Sunday falling betwixt the 14. and 20. which he calleth an heresie, and taketh our Church to have been newly infected therewith; neither yet the whole Church, but some certain in it only. But in this last he doth not agree with himself; for speaking afterwards of Bishop *Aidan*, he thus excuses his disconformity with *Rome* in the keeping of *Easter*, quod sua gentis autoritate devictus, that he was overcome with the authority of his

Beda his judgement of the letter.

An. 600.

own Nation, & *contra morem eorum qui ipsum miserant facere non potuit*, and could not keep *Easter* contrary to the custome of them who had sent him. So he acknowledged it to have been the *custome* of the *Scots Church*, and not of a certain in it only. And whereas he sayes that it was an *error*, or *heresie newly sprung up*, he greatly mistaketh; for in the contention about the keeping of *Easter*, which grew afterwards very hot, we shall hear them plead the *Antiquity* of their *custome*, and derive it from the very first times of the Church. But that we may know how this contention grew, and who they were that withstood the alteration desired, we must make a little digression.

Buchan. l. 5.
Buth li. 9.
Lest. li. 4.

The *Saxons* having overcome the *Britains*, and brought the countrey of *England* to an *Heptarchy* by the partition they made of it, were never quiet, encroaching still one upon anothers state, till at last one got all. *Ethelfrid* King of *Northumberland* the mightiest of the whole, after he had reigned 22. years with great avarice and cruelty, was killed by *Redwald* King of the *East Angles*, and *Edwin* (whom he had expelled) placed in his room: this *Ethelfrid* left behind him seven sons: *Eufred*, or *Eanfred*, *Oswald*, *Ossa*, *Oswin*, *Offas*, *Osmond*, *Osik*, or *Osrick*, and one daughter named *Ebba*, who upon their fathers death fled into *Scotland*, and were liberally entertained by King *Eugenius* the fourth, notwithstanding the enmity betwixt him and their father whilest he lived. Eighteen years they remained in *Scotland* exiled from their countrey, and were by the care of the same *Eugenius* instructed in the knowledge of Christ, and baptized.

Buchan. l. 9.

Edwin being killed in the 17. of his Reign by *Penda* King of *Mercia*, they returned all home, *Ebba* onely excepted, who remained still in *Scotland*. The successour of *Edwin* named *Osrick*, parting the Kingdom with *Eufred*, the eldest son of *Ethelfrid*, was made King of the *Deirians*, and *Eufred* King of this *Bernicians*; these two turning Apostates, and forsaking the Christian profession, which they had once embraced, were the summer following deprived both of their lives and Kingdomes.

Eeda l. 3. c. 5.

Cormanus sent
into Northum-
berland.

Oswald the second son of *Ethelfrid* did upon their deaths succeed in both the Kingdoms, a noble and vertuous Prince, whose chief study was to promote Christian Religion. To this effect he sent his Ambassadors unto *Donald* the fourth then reigning in *Scotland*, and entreated him by the old familiarity that had been among them, to help him with some worthy and learned man, that could instruct his people in the faith of Christ. The King recommending the matter to the Clergy, one *Cormanus* was elected to go thither. But his labours proving unprofitable, he returned about the end of the year, and in a Synod of the Bishops and Clergy, informed that they were a people indocile, and froward, that the pains taken upon them were lost, they neither being desirous nor capable of instruction.

Aidanus sent
for the conver-
sion of No-
thumberland.

It grieved the Synod exceedingly to hear this, and while they were consulting what to do, *Aidanus* a learned man and reverend preacher, is said to have advised them *not to give over the work at any hands*, for that the bad succeſſe of *Cormanus* labours might possibly proceed from himself, that had not used the people tenderly, nor according to the Apostles rule, fed them at first with milk; and therefore desired some other approved man might be imployed of new, who would possibly do good among them.

Aidanus or-
dained Bishop,
and sent into
Northumber-
land.

This opinion allowed by all, none was thought fitter for this service then he who had given the advice, and so with common consent was *Aidan* ordained Bishop, and appointed to that charge. Being come thither, he set himself to amend the fault which he supposed *Corman* had committed, and so tempered his doctrine, as multitudes of people daily did resort unto him to be instructed. It was a great hinderance unto him at first that he was not skilled in the *Saxon* tongue, neither did the people understand his language; but this defect the King himself supplied, interpreting to the auditory all that *Aidanus* delivered in his Sermons. So by the Kings zeal and *Aidanus* his diligence, such numbers were brought to the Christian profession, as in the space of seven days fifteen thousand persons were by him baptized.

The vertues of
King Oswald.

Whether this people was more happy in their King, or in this Bishop, it is difficult to say. For the King; he did so excell in piety and prudence, that, as *Beda* writes, *all the Nations and Provinces within Britain, were at his devotion; and not the lesse, his heart*

heart was never lifted up within him, but still he shewed himselfe courteous and affable, and of the poor most compassionate. Among examples of his liberality towards these, the same Beda relateth, "That sitting at Table on Easter day, and Aidanus by him, when it was told that a number of poor men were at the gate expecting his Almes; he commanded to carry the meat that was set before him unto them, and the platter of silver wherein it was, to be broke in pieces, and distributed among them. Aidanus beholding it, took the King by the right hand, and kissing it, said, *Nunquam marcescat hec manus*, never let this hand consume or wither. Which, as he writeth, came also to passe. "For being killed in battel, and his arm and his hand cut off, the same was inclosed in a silver shrine, and remained for many years uncorrupted, in the Church of St. Peter at Bamborough. This and the other miracles he reporteth, I leave upon the credit of the writer, who is too lavish oftentimes in such fables and fictions.

As to Aidanus, he was an ensample of *abstinence, sobriety, chastity, charity*, and all other *Episcopal virtues*; for as he taught, so he lived, was idle at no time, nor did he admit any of his retinue to be so, but kept them in a continual exercise, either reading Scripture, or learning the Psalmes of David by heart. If he was invited to any feast (as rarely he went) he made no stay, but after a little refreshment taken, got himself away. In preaching he was most diligent, travailling through the countrey, for the greater part on foot, and instructing the people, wheresoever he came. In a word, he was deficient in no duty required of a good Pastor; and having governed the Church in those parts most happily the space of 17. years, died in the Isle of Lindisfarne (now called Holy-Island) the place he choosed for his residence; where he was also buried.

An. 651.



The commendation of the Bishop Aidanus.

After his death, which happened in the year 651. Finnanus was ordained Bishop, and sent to the Northumbers from Scotland: he followed his predecessor in all, and was greatly troubled by Romanus, or Conanus (as other name him) about the observing of Easter. This Conanus born in Scotland, had lived some years beyond Sea, and was much taken by the *Romane* rites; for advancing whereof (so zealous he was that way) he left his station in Kent, and coming to Northumberland, did challenge the Bishop to a dispute. The Bishop answering, that he would not refuse to dispute, but to admit an alteration in Church rites, whilest he lived, he would not; the dispute ceased, and so for the time that he sate Bishop, Easter was celebrated after the ancient manner of the Scots: Finnanus in the mean time applying himself to better exercise, did work the conversion of the East-Saxons, and Mercians. For having baptized Penda the Prince of Mercia, he sent with him four preachers, who reformed all that part of the countrey. Divina, or Duina a Scottish man was one of those preachers, and consecrated Bishop of Finnan in the year 656. In the catalogue of the Bishops of Lichfield, I finde him first placed. There succeeded to him, Kellach a Scottish man also; but he renouncing his charge because of the contentions that arose, returned to his countrey.

Finnanus succeeded Aidanus.

Anno 651.

Now Finnan having governed the Churches of Northumberland the space of ten years, died in Lindisfarne, and was buried in a Church which he himself had there erected: so great was the affection of these Northumbers to these preceding Bishops, as they would accept of none other but a Scottish man. Whereupon Colman was brought, and placed in that See. In his time the controversie of Easter was again wakened, and more hotly followed then before; great dealing there was to work him to a conformity, but he would not forsake the course that his predecessors had kept. After divers conferences a publick dispute was in end condescended to, for deciding the question. The place was chosen at Whitby, (Beda calleth it Sternshali) a Religious house in Yorkshire, whereof Hilda a learned and devout woman was Abbess; she was a professed adversary to all the rites of Rome, especially Clerical tonsure; which made Colman more willingly to agree unto the meeting. Oswy King of Northumbers, with Elfred his son, were present in person, and many Ecclesiastick men of all degrees. The reasoners were Colman on the one part, who was assisted by the Scottish Clergy, and Hilda the Abbess. On the other part, Agilbert a French-man born, Bishop of the East Saxons, Wilfrid and Agatho Presbyters,

Finnan dieth, to whom Colman succeeded.

The controversie about Easter wakened.

A dispute for the time of Easter.

An. 651.



Of the King of
Northumbria
his speech to
the deacons.

Colman his rea-
sons for the
observing of
Easter after the
Scottish man-
ner.

Wilfrid his re-
ply to Colman.

Colman inter-
rupteth Wilfrid
for calling
their observati-
on foolish.

Wilfrid excu-
sing himself,
persisteth in
his reply.

with *Jacob* and *Romanus*, two learned men. *Cedda* lately consecrated a Bishop by the *Scots* was choosed to be *partis utriusque interpret*, that is (as I take it) the Recorder of all that should be spoken by either party, or enacted in that conference, and meeting. The King himself did incline to *Colman*, but his son favoured the other party, for that *Wilfrid* had been his Tutor.

When all were placed in their seats, the King using a short speech, said, *That it was meet, they who served one God, and looked to be heires of one Kingdom in the heavens, should keep one rule, and form, and not vary in their rites and ceremonies*: Therefore desired, seeing they were come together for composing of differences, especially touching the celebration of *Easter*, that they should calmly enquire what was the most ancient and best form, to the effect all might observe and follow the same. Then turning towards *Colman*, he willed him to deliver his opinion, and reasons; who answered, as followeth. "The *Easter* which I observe, I received "from my elders, who did send me hither, and ordained me Bishop; all our "forefathers, men beloved of God, are known to have celebrated *Easter* in the "same manner that I do; and if any think light of this, the blessed Evange- "list *S. John*, the disciple whom our Lord especially loved, with all the "Churches whereof he had the oversight, observed the same, which to us is a "warrant sufficient.

Agilbert being desired next to declare his minde, excused himself by the want of the *English* tongue, entreating the King that *Wilfrid* might be allowed to answer for them all; which granted, *Wilfrid* began in this sort: "The *Easter* which "we keep, we have seen observed at *Rome*, where the holy Apostles *Peter* and *Paul* "did preach, and suffered Martyrdom. As we travelled through *France* and "Italy, we saw the same order every where kept, and by relation we hear, that "the Churches of *Africk*, *Asia*, *Egypt*, *Greece*, and to be short, the whole Christian "world doth observe the same time: onely these men and their followers, the "Britains and *Picts*, with some remote Islands, and not all these neither do foolish- "ly contend in this point against the whole world.

Here *Colman* interrupting his speech, said, "It is a marvel you should "call our doing foolish, seeing we follow the ensample of that great Apostle "who was held worthy to lie in the Lords bosome, and is known to have lived "most wisely.

Wilfrid replying, said, "Farre be it from me to charge *S. John* with folly; "he observed the rites of *Moses Law*, according to the letter, the Church as yet *jud- "daizing* in many things, and the Apostles not being able to abdicate upon the "suddain the whole observations of the Law which God had ordained; for this "cause did *S. Paul* circumcise *Timothy*, offer sacrifices in the Temple, and shave "his head at *Corinth*, with *Aquila* and *Priscilla*; which things he did onely to "eschew the offence of the Jewes. In this consideration, *S. James* said to the "Apostle *S. Paul*, Thou seest brother that many thousands of the Jewes do be- "lieve, yet are they all zealous followers of the law. But the light of the Gospel "now shining throughout the world, it is not lawful for a Christian to be circum- "cised, or to offer carnal sacrifices unto God. Thus *S. John* keeping the custom "of the law, began the celebration of *Easter* upon the 14. day of the first moneth, "at evening, not caring whether it fell upon the Sabbath day, or any other day of "the week: But *S. Peter* preaching at *Rome*, when he considered that the Lord "did rise from the death on the first day after the Sabbath, thought good to insti- "tute *Easter* on that day. And that this is the true *Easter* to be observed by all "Christians, it is clear by the *Nicene* Councel, which did ratify and confirm the "same by their decree. But you neither follow the example of *S. John*, nor *S. "Peter*, nor doth your celebration of *Easter* agree either with the Law or Gospel; "for *S. John* observing it according to the Law, had no respect to the first day "after the Sabbath, whereas you keep not *Easter* but on the first of the Sabbath; "Saint *Peter* did celebrate *Easter* from the 15. of the Moon to the 21. which you "do not; for you keep *Easter* from the 14. to the 20. day, and often you begin "Easter on the 13. day at night, whereof the Law maketh no mention, neither "did

“ did our Lord the authour of the Gospel eat the Passover on the 13. day, but
 “ upon the 14. at night, and at the same time he did celebrate the Sacrament of
 “ the New Testament in remembrance of his death and passion; So, as I have said,
 “ you neither agree with Law, nor Gospel, with *S^t. Iohn*, nor with *S^t. Peter*, in the
 “ celebration of the greatest festivity. An. 651.

To this *Colman* answered; “ And did *Anatholius* then, who in the Ecclesia- Colman his answer.
 “ stick history is so highly commended, go against both the Law and the Gospel,
 “ when as he said that *Easter* ought to be kept from the 13. day to the 20^e or shall
 “ we think our most reverent father *Columba*, and his successours who were all dear
 “ unto God, did transgresse in observing *Easter* after that manner? They were men
 “ of great piety and vertue, as their miracles have declared; and I making no
 “ doubt of their holinesse, will endeavour to follow their order and discipline.

Then said *wilfrid*, “ It is known that *Anatholius* was a godly and learned man; wilfrid his reply.
 “ but what have you to do with him, that observe not his customes? for he fol-
 “ lowed the true rule of keeping *Easter*, and observed the circle of 19. yeares, which
 “ either you know not, or if you do, ye set at nought, although the same be ob-
 “ served in the universal Church of Christ; he did so account the 14. day as he ac-
 “ knowledged the same to be the 15. at night after the manner of the *Egyptians*,
 “ and so the 20. day he believed to be the 21. in the evening; which distinction
 “ you know not, as appears by this, that sometimes you keep *Easter* on the 13. day
 “ before the full Moon. As to your father *Columba* and his followers, whose rule
 “ and precepts confirmed by miracles, you confesse to follow, I may answer, That
 “ in the day of judgement the Lord will say to many that prophesied in his name,
 “ did cast out devils, and wrought other miracles, *I know you not*. But God
 “ forbid I should speak this of your fathers, seeing it is better to believe
 “ good of those we know not, then ill. Therefore I will not deny them to have
 “ been the servants of God and be loved of him, seeing they served God with good
 “ intent, though in simplicity. Neither do I think the order they keep in *Easter* did
 “ hurt them much, so long as they had none among them, that could shew the right
 “ observation thereof; If the truth had been shewed them, I doubt not they would
 “ have followed the same, as well in this matter, as in others which they knew.
 “ But if you and your associates should refuse the decrees of the Apostolick See,
 “ or rather of the whole Church allowed by holy Scripture, now after you have
 “ heard the same, without all question you sin heavily. Howbeit your fathers were
 “ holy men, you must not think that a few dwelling in a corner of a remote Isle,
 “ are to be preferred to the universal Church of Christ. And if *Columba* your
 “ Father, yea and ours also if he was of Christ; was mighty in miracles, yet is
 “ he not to be equalled to the Prince of the holy Apostles, unto whom the
 “ Lord said, *Thou art Peter, and upon this rock will I build my Church, against which*
 “ *the gates of hell shall not prevail; and will give unto thee the keyes of the kingdom of*
 “ *heaven*.

The King who had hearkened diligently unto all which they spake, taking hold The King determineth the question.
 of these last words, asked *Colman* if it was so, that the Lord had spoken these words
 unto Peter; he answered, that it was truth: And can you shew, sayes he, that the like
 authority was given to your Father *Columba*? *Colman* answered, Not. Then said the
 King, Do both agree in this, that these words were spoken to *S^t. Peter*, and that the Keyes
 of the kingdom of heaven were given to him? They answered that they did. Then said
 he, Seeing *S^t. Peter* is the dorekeeper of heaven, I will follow his rule in every thing, lest
 when I come to heavens gates, the dores shall be shut against me. These speeches of the
 King, full of simplicity, were seconded with the acclamations of many of the hear-
 ers, and the victory adjudged to the adversaries of *Colman*.

But he nothing moved therewith, retained still his opinion, and would not Colman resigneth his place.
 change; yet fearing that some trouble might arise, if he should make longer stay in
 those parts, he resigned his Bishoprick, in which one *Tuda* a *Scottishman* succeeded,
 who was content to submit himself to the *Romane* observation of *Easter*, and to re-
 ceive the *Clerical tonsure*, but he lived not one whole year, and died of the
 Plague.

An. 651.

Colman return-
eth into Scot-
land.
Buchan. l. 5.

Colman returning into Scotland was welcomed by his countrey men; for he was in great esteem, and bare no small authority, both in the Church and State, before he went into England; as appeared in the insurrection made against King *Ferghard*: the Nobility having consulted to depose him from his Kingdom for the detestable cruelties he had committed, by Colman his authority they were onely kept back, who told them, *That the punishment of Kings belonged to God, and that he ere it were long would take vengeance of his wickednesse*: which as he foretold came to passe; for the King after a few dayes being at hunting, happened to be bitten by a Wolfe, and falling into a feaver, such a putrefaction ensued in his body, that out of every part there issued abundance of lice, and vermine, which made him abhorred of all men. Languishing in this consumption a long space, and touched with a bitter remorse for his wicked life, he sent for Colman, to whom he expressed a great sorrow for the ill life he had led, intreating the help of his prayers, and to testifie his humiliation, would needs be carried forth to the next fields wrapped in sackcloth; where after an open confession made of his wickednesse, he was absolved by Colman, and shortly after yielded up the ghost.

The memory of this, which was yet fresh in the mindes of people, together with the report of his constancy (for so it was interpreted) did purchase unto him great love and reputation; but he making short stay at home, went soon after into Ireland, where he built a Monastery for the English and Scots that followed him thither. They not well agreeing, he bought a piece of ground and founded a religious house for the English apart. Bishop *Lefly* in his Chronicle writeth, that after this he passed into Germany, and having travelled through Boheme, Hungary, and a great part of Greece, as he returned by Austria, he was killed by some Pagans in those parts: for this he citeth *Johannes Stabius* the Historiographer of *Maximilian* the first. But whatsoever became of him, he was certainly a man of great integrity, and therefore much respected of all men.

A declining in
the Church by
the dissensions
that grew in
the same.

Godwin de Pre-
sulis Anglia.

Buchan. lib. 5.

After this time we finde a continual declining in the Church; for the decision taken in that conference of *Whitby*, touching the controversie of *Easter*, increased the dissension, and put all out of frame; they that were in place urging the rites more strictly then was convenient, and others choosing rather to quit their places, then to give way unto them. *Theodorus* then Archbishop of *Canterbury*, is blamed for exercising the authority of his place too peremptorily about these things, and forcing the British Bishops to conform themselves; *Wilfrid* Archbishop of *York*, dealing in like sort with the Scottish preachers, that had planted the Gospel among the English, thrust them all from their places. *Nam optione data, maluerunt loco cedere, quam Pascha Catholicum caterisque ritus canonicos Romana Ecclesia recipere*; It being given to their option, whether they would stay and admit the observation of *Easter*, and other rites of the Church of Rome, they made choice to leave their places and depart. The Clergy at home became also divided: for *Adamannus* or *Adamnanus* a Bishop, who had been Tutor to *Eugenius* the sixth, being sent in Ambassage to *Alfrid* King of *Northumberland*, fell in such a liking of the rites he saw there used, as at his return he became an earnest perswader of his countrey men to receive them, and prevailed with many. Yet the Monks of *Fona*, whose governor he had sometimes been, did strongly oppose; others that loved not to be contentious, retired themselves; among whom *Disybodius*, and *Levinus* are said to have been two: *Disybodius* going into Germany lived a Monk in the Abbey of *Fulden* many years.

Adamannus
a Bishop.

Adamannus, whom even now I named, is much commended for the care he took to keep the *Picts* and *Scots* in peace, which albeit he did not effect according to his desire (for they were ever making incursions one against another) yet so far he prevailed, as during his life no publick war arose amongst them. To bind the two people in friendship, he was a means to make *Eugenius* the seventh take to wife *Spondana* daughter to *Granard* King of *Picts*; but she not long after being killed as she lay in bed, by two *Athol* men, that had conspired to kill the King, and were mistaken in the execution; the friendship contracted had almost turned into deadly enmity, because of a rumour that went, that she was made away by the Kings knowledge. The *Picts* complaining of the injury done to their blood, and many of the subjects appre-

apprehending it to be the Kings own fact, he was forced, with some indignity to his person, to plead his innocency in a Parliament called to that purpose. It happened that in the mean time the murtherers were discovered and taken, and by the punishment they suffered, the Kings innocency was sufficiently cleared; where-with he not contented, would needs be avenged of his subjects that had called his name in question. This raised a great stirre, and had doubtlesse burst forth in a civil war, if *Adamannus* by his wisdom had not mitigated the King, and wrought the subjects reconciliation. *Beda* speaking of this *Adamannus* saith, that he was *Vir unitatis & pacis studiosissimus*, a man most careful to preserve unity and peace: And indeed he shewed as much, for having the favour of the King, although he stood divided in opinion from his brethren, he never moved him to use his authority in these matters, as easily he might have done, judging as he did rightly, uniformity to be a work of time, and that constraint and violence are not the means to bring it to passe.

An. 689.

Chilianus, or *Kilianus*, a man of great learning, taking a contrary course, fell into the dislike of many, for his too great forwardnesse in advancing the *Romish* ceremonies, and out of indignation conceived against those that maligned him, left his place, betaking himself to travel with *Colonatus*, or *Columbanus*, a Presbyter, and *Theotrianus* a Deacon. After a view taken of *England*, and *France*, he took journey into *Germany*, and coming to *Herbipolis*, now called *Wirtsburg*, where one *Gosbertus* governed as Deputy to *Theodorick* king of *France*, he was enformed that the Governour had lately taken *Geilana* his brothers widow to wife; which he esteeming a great wickednesse, and not to be endured where Christianity was professed; he went to *Rome*, and meaned the matter to Pope *Conon*; who liking well the zeale of the man, did consecrate him Bishop of *Wirtsburg*, and sent him back thither. At his return shewing the Governour what an unlawful match he had made, he laboured earnestly to have him dimit *Geilana*, and was in likelihood to prevail: whereupon the malicious woman having conduced some murtherers to make him away, both he and his two companions were strangled in their Chambers; and lest the fact should be disclosed, their bodies, books and vestments, were all hidden under the ground. But God who never suffereth murther to be long concealed, brought the same shortly after to light, by the means of one of her maids. Whereupon *Burchardus* his successor made the corpses to be raised, and laid in the great Church of the City, with these verses appended nigh unto their Sepulcher.

Chilianus.

Baron. in anno
689.

*Hi sunt, Herbipolis, qui te docuere Magistri,
Qua verum coleres religione Deum.
Impia quos tandem iussit Geilana necari,
Celavitque sub hunc corpora cæsa locum.
Ne turpi, sine laude, situ defossa jacerent
Corpora, Burchardus sub monumenta locat.*

But to proceed; as it falleth out commonly at such times, there were not a few that upon hope to raise their fortunes, and gain preferment, were after this, still gadding to *Rome*. *Baronius* telleth us in his *Annals* of two of our countrey-men, *Wiro* and *Plechelmus*, that came to *Rome* to visit, as he speaketh, *Limina Apostolorum*. *Wiro* he saith had been earnestly entreated to accept the charge of a Bishop, but it being a custome in the *Scottish* Church first to elect their Bishops, then to send them to *Rome* for seeking confirmation; he took this occasion to visit the holy City. But by the Cardinals leave, our Church had no such custome before that time, nor will it be shewed that before these two, any did go to *Rome*, either to be consecrated, or confirmed. They indeed obtained what they sought, and were consecrated by Pope *Honorius*, who used them with much respect; that upon the report they should make, others should be allured to keep the same course. *Wiro* returning, made an ample discourse of their entertainment, and incited many to try the same way, yet made no long stay at home; for we finde him shortly after turn Confessor to King *Pipin*, with whom he found such favour as he did build a Monastery in

Baron. in anno
632.Wiro and Ple-
chelmus conse-
crated Bishops
by Pope Hono-
rius.

Francia,

An. 697.

A Synod at Utrecht.

An. 697.

Bonifacius an Italian came into Scotland.

Franconia to the memory of *S. Peter*; and retiring thither in his age, did there end his days. What became of *Plechelmus* I read not, onely I finde both him and *Wiro* present at a Synod in *Utrecht*, called by Pope *Sergius* in the year 697. and in the Records, *Plechelmus* styled *Episcopus candida case*.

There came about the same time into *Scotland*, an *Italian* named *Bonifacius*, a grave and venerable person as he described, and was judged by the vulgar sort to be the Pope; some hath written that he was elected successeur to *Gregory* the great, but declined the charge out of a desire to promote religion in these Northern parts. I rather think he came hither to confirm our acquaintance with the *Romane Church*. As ever that was, for the paines he took in preaching the Gospel, and the Churches he erected in this Kingdom, he deserveth of us an honourable remembrance. For landing in the River of *Tay* at the mouth of a little water that divided the countreys of *Angus* and *Mermis*, he there built a Church to the memory of *S. Peter* the Apostle, another not farre from thence, he built at *Telin*, and a third at *Restennoth*; and having finished these works, he did visit the countreys of *Marre*, *Bughan*, *Murray*, and *Bogieland*, preaching the Gospel whithersoever he came, neither did he rest till he came to the countrey of *Ross*; and choosing *Rosmarkie* for the place of his residence, erected there a Church, where after his death he was buried. *Molochus* a learned Bishop of his countrey, taking delight in his company, followed him in all these ways; and that he should not be separate from him in death, gave order that he should be interred in the same Church and near unto *Boniface*; for he outlived him many years, and died in the 94. of his age, his bones were afterwards translated to *Lismore* in *Argile*, because of his labours employed in reforming that Church.

Bonifacius made Arch-Bishop of Mainz.

Whether or not I should mention among these, that *Boniface* who was by *Gregory* the second preferred to be Bishop of *Mentz*, I know not, so many writers affirming him to have been born in *England*; but of what countrey soever he was, none did ever adventure more for the Pope then he did; for he is said to have brought the *Bavarians*, *Thuringians*, *Hessians*, and a great part of *Germany* more, to submit themselves in all matters Ecclesiastick to the See of *Rome*; yet was he therein greatly opposed (besides some *Germanes*) by two of the *Scottish* Nation, *Clemens* and *Sampson*, who at the time remained in those parts. These did openly in their Sermons inveigh against him as a corrupter of Christian doctrine, charging him, “ First, for that he studied to winne men to the subjection of the Pope, and not to “ the obedience of Christ. 2. That he laboured to establish a sovereign authority “ in the Pope his person, as if he were onely the successeur of the Apostles, where- “ as all Bishops are their successors as well as he. 3. That he went about the “ abolishing of Priests marriage, and extolled the single life beyond measure; and, “ 4. That he caused Masses to be said for the dead, erected Images in Churches, and “ introduced divers rites unknown to the ancient Church. For this, *Clemens* in a Council holden at *Rome*, was excommunicated and condemned for an heretick, The sentence is to be seen in the third Tome of the Councils, wherein none of these particulars is mentioned, but other false aspersions are cast upon his fame, as hath been the custom of handling those, that oppose the corruption of the *Romane Church*. *Bonifacius* alwayes going on in his course, and seeking to make the like reformation amongst the *Frizons*, was with 54. of his followers killed in the 64. year of his age, and hath therefore a chief place in the *Romane Martyrologie*.

But this did so little terrifie others, as about the same time certain *Scottish* Monks, did adventure upon the *Saxons*, to bring them under the Popes obedience; *Palto*, *Tanco*, *Korvila*, and *Haruchus*, (so they name them) being consecrated Bishops of *Verden* in *Saxony*, one after another, did all of them lay down their lives in that quarrel; *Quasi exoptantes coronam Martyrii*, sayes *Baleus*; longing for the Crown of Martyrdom, and counting it their glory to suffer in the Bishop of *Rome* his cause. Nor were they Monks onely that were so given, but even of the Bishops, *Sedulus* and *Pergustus* were vehemently set that way, and having assisted in a Synod called at *Rome*, by *Gregory* the second, in the year 721. (as their subscriptions extant in the books of Councils do testify) after their return, made great disturbance in the Church

Church for the erecting of Images, and put divers preachers from their livings for resisting that course. *An. 697.*

In all this time, which is not a little to be admired, the *Eremitical life* was in such esteem, not with *Clergy-men* alone, but with the greatest *Nobles* and *Princes*, that they forsaking their honours and dignities, betook themselves thereto, as the most contented and desirable sort of life. Of these last our stories do name *Drostanus*, the Uncle, or as others say, the Nephew of King *Aidanus*; Prince *Fiacre*, the second son of *Eugenius* the fourth, and *Florentius* a Gentleman of honourable birth and estate, who did all, nigh at one time, sequester themselves from the world, not out of any grief or discontent, whereof they had no cause, but upon a meer apprehension of the vanity of worldly greatness. The story of *Fiacre*, as *Boeth* rehearseth it, is especially memorable. This Prince being committed to the education of *Conanus* Bishop of *Man*, after he came to some years, did steal away privately to *France*, and his intention being discovered to *Pharo*, Bishop of *Meaux*, he had by his gift a little Cell in a solitary place appointed for him. There separating himself from all company, he spent his time wholly in prayer and divine contemplation. It happened after a little time, his elder brother King *Ferghard* to be deposed for his Tyrannical government; whereupon Commissioners were sent to recall him as being the next heir of the Kingdom. He getting intelligence of their coming, did betake him to his prayers, and with many teares besought God to confirm his mind in the resolution he had taken, and divert them by some means from disturbing his rest: So as when they came unto him, he appeared unto them leprous; looked so deformed, as they were amazed to behold him; but they (notwithstanding this, did not judge him unfit for government) resolved to deliver their Commission, intreating him to return to his countrey, where he would finde the aire more healthfull, and in a short time by the help of Physicians recover his health. *Fiacre* at first excusing himself by his infirmity, when he perceived them insist for his return, and relinquishing that sort of life; did cut them off with this answer: *I have, said he, made choice of this condition of life, which you see, and am contented with this little Cell for my dwelling, these garments (pointing to his apparel) serve me for clothing, and my food is a simple pottage of herbs, which I dresse to my selfe; more I desire not, nor would I change this state of life with the most fortunate King in the world. I seem to you deformed, yet is my body sound, and my blood uncorrupted, but it is the will of God I should look so, that I may be kept humble, and learn to amend my life. Go you therefore home and shew my brother and the Noblemen that sent you hither, that I live content in this private manner, and will not change it with any state whatsoever; and from me, desire them to serve God purely, to live justly, and entertain peace among themselves: which if they do, they shall be alwayes victorious over their enemies.* This said, he withdrew himself into his Cell, and they finding that there was no means to prevail with him, departed.

The story of
Fiacre.

The Commissioners at their return making report of that they had seen, and his resolution; his only sister *Syra* was so much moved with it, as taking with her some Virgins in company, she went to visit him, and after some conference rendered self and those that came with her religious in the city of *Meaux*. This *Fiacre* is the same, to whose memory divers Churches in *France* are dedicated, and is said to have died in the year 665.

Florentius (whom I named) taking the like resolution went into *Germany*, and in the countrey of *Alsatia* upon the River *Hasel*, built a little Chappel for his private use, where he lived, retired from all company, and purchased to himself great reputation. It happened *Rathildis* the daughter of *Dagobert* King of *France* to fall sick in the time, of a disease that deprived her both of sight and speech, and being recommended to *Florentius* prayers, she within a little while recovered. Whereupon King *Dagobert* did build a magnick Abbey, called yet *The Abbey of Haselah*, and committed the Government thereof to *Florentius*. There was difficulty enough to winne him from his solitary life, yet so earnest were the solicitations used unto him, that in end he yielded, and was after that made Bishop of *Strasburg*, upon the death of *Rotharius*. Twelve years he governed that See most wisely, giving proof of his vertue, and worth, as well in the *active*, as *contemplative* life. Before his death

Bal. cent. 14.

An. 697.

death he founded a Monastery for *Scottish men* at the river *Bruschius* in *Alsatia*, and placed therein *Argobastus*, *Theodotus*, and *Hidolphus*, who had accompanied him from *Scotland*, his body according as he directed, was there interred after his death.

The Universities of *Paris*, and *Pavia*, founded by *Scottish men*.

Never did this countrey abound more in learned men, then at this time; our writers speak of *Mocharius*, *Glacianus*, and *Gervadius*, Bishops of great reputation: they name likewise *Divinicus*, *Conganus*, *Dunstanus*, *Medanus*, and *Modanus*, as famous men all for their piety and learning. But they that King *Achaius* sent to *Charles the Great*, upon his earnest intreaty, did excell all the rest; *Johannes Scotus*, *Claudius Clemens*, *Rabanus Maurus*, and *Flaccus Albinus*, otherwise called *Alcuinus*; these four he sent with Prince *Gulielme* his brother into *France*, at the time of the league made with that people, which to this day remaineth inviolate: and by them it was, that the University of *Paris* was first founded. *Scotus* after he had stayed some years at *Paris*, was imployed by the same *Charles* for founding an University at *Pavia*, and was in great respect with all (the *Romane Church* excepted) who could not away with the liberty he used in his reproofes of the errors then springing up: his Treatise of the *Eucharist*, a pious and learned work, was by Pope *Leo* the ninth condemned in *Synodo Vercellensi* in the year 1030. long after his death. *Claudius Clemens* was afterwards preferred to the Bishoprick of *Auxew*, where he lived to his death in great esteem.

Alcuin.

Alcuin, commonly held to be *Charles the Great* his Master, was made his *Eleemosynar*, and lived in special credit with him. The book that came forth under *Charles* his name against Images, was thought to be penned by him; for he was a man of great learning, as the many books left by him to posterity do shew. *Ubique pius, ubique doctus*, sayes *Baleus*, *succinctus, gravis, & ante multos alios precipue dignus, qui in manibus hominum habeatur*. The *English* writers will have him born in their countrey, not farre from the city of *York*; To which I onely say, that the *English* at that time, being adversaries to the *French* and *Scots*, speaking of them as common enemies to both people; it is not probable, if he had been of the *English Nation*, that he would be so inward with *Charles the Great*.

Rabanus Maurus.

Rabanus Maurus was his Auditor many years, and under his hand grew to such perfection of learning, that it is said, *Quod nec Italia similis, nec Germania aequalem peperit*; That neither did *Italy* breed his like, nor *Germany* his equal; *Tantum viri eruditionem*, sayes *Bruschius*, *omnes Bibliotheca nobis commendant, & quantum ingenio valuerit, edita ab eo volumina demonstrant. Bibliothecam enim Fuldensem tanta librorum multitudine locupletavit, ut dinumerari vix queant*. All Bibliothèques do witnesse the rare erudition of that man, and what a fertile ingenie he had, the volumes published by him do shew. The Library of *Fulden* he enriched with such multitudes of Books as can scarce be numbred. And certainly who shall but read the catalogue of his works, will wonder how any one man should in his life have penned so much, and upon so divers subjects; for besides that he did illustrate the whole Books of Scripture with his Expositions, he left a number of profitable tractates in every Science to posterity. After *Clemens* was gone from *Paris*, he continued in the University some years, and being made Abbot of *Fulden*, upon a displeasure he conceived against the Monks, he went to the Court of *Ludovicus* the Emperour, where he had not long attended, when upon the death of *Osgarius* Archbishop of *Mentz*, he was elected to the government of that See. Ten years he sate Bishop having no opposition made to him, nor to his doctrine, though he taught no other then what is with us in these times taught and professed; as in his works yet extant may be seen.

Maidolphus Scotus, *Camelens Antiquities*.

In this reckoning we must not forget our countreyman *Maidolphus Scotus*, who was of great fame in these days, for his skill in training up the youth in letters, and kept a publick school at *Caerbladon* in *Wiltshire*, there being as yet no University in *England*: he also is said to have been a strong defender of the Bishop of *Rome* his authority, and placed in that part by *Eleutherius* Bishop of the *West Saxons*, for withstanding the *British* Doctors that opposed the *Romane* rites. After some time bestowed that way, embracing the Monastical life, he erected an Abbey at *Malmsbury*, which *Aldelin* his disciple and successour did much increase: and from him it is thought

thought that *Malmsbury* took the name, being at first called *Maidulphsbury*; or *An. 800.*
Maidulphs. city.

We are now at the 800. year, or thereabout, when as the warres were renewed betwixt the *Scots* and the *Picts*, which brought in end the utter subversion of that people, I mean the *Picts*. Their Kingdom had continued near 1200. years, under the Reign of 65. Kings, and was fortunate enough till the days of King *Feredeth*; who I know not by what ill counsel bare an heavy hand upon the Church, and made spoil of her rents, especially of the ornaments bestowed by his predecessour King *Hungus* upon the Church of *S. Andrews*: the occasion of these troubles I shall briefly set down after I have remembred the magnificence of Prince *Gulielm*, which ought never to be forgotten. After the league contracted with *France*, which he was sent to ratifie, he followed *Charles the Great* in all his warres, performing notable services, especially in *Italy*, where he was made Lieutenant for the King; upon the end of the warres, being grown in age, he went to *Germany*, resolving to bestow his means (which were very great) in founding religious houses, which he did at *Coleyn*, *Franckfort*, *Vienna*, *Herford*, *Luneburg*, *Wirtsburg*, *Muleren*, and *Ratisbone*: fifteen Abbeyes and Hospitals they reckon, founded by him; some in *Italy*, but the most part in *Germany*: all which he indowed with a reasonable proportion of lands and rents, but with this Proviso, that none should be admitted therein but *Scottish* men born. This for many years according to his appointment was observed, and even at this time, notwithstanding the manifold alterations that have happened, there be some of these foundations that are no ways changed from their first institution. They also may possibly decay, yet the magnificence of that Noble Prince, shall ever be recorded to his everlasting honour.

Warres renewed
between the
Scots and the
Picts.
An. 800.

Religious houses
founded by
Prince *Gulielm*.

Boeth li. 10.

And now to the occasion of these troubles I mentioned; There reigned in the time of King *Achais* amongst the *Picts*, *Hungus* a Prince well inclined, and a great lover of Religion and Justice. *Athelstane* King of the *West Saxons*, having usurped upon divers of his neighbours, and enlarged his Kingdome by subduing the *Northumbers*, did likewise invade the *Picts*, intending the conquest of that part of their Kingdom, which lay next unto his. *Hungus* hereupon did move King *Achais*, who had married *Fergusiana* his sister, for some supply; and he no lesse offended with *Athelstans* oppressions, then was *Hungus* himself, sent to his aid ten thousand men, under the leading of of Prince *Alpin* his son. *Hungus* supplied with this power, entered into *Northumberland*, and having made great depredations, returned home with a rich booty; *Athelstan* following upon his heels, overtook him at a little Village not farre from *Hadington*; which put *Hungus* in a sore fright, for a great part of his Army was dismissed and gone home; yet not seeing a way to eschew the fight, he gave order for the battel against the next day, and in the mean time betook himself to prayer, spending most part of the night in that exercise. A litle before day falling into a slumber, it seemed to him that the Apostle *S. Andrew* stood by him, and assured him of the victory; which vision being related to the Army, did much encourage them. The History addeth, that in the joyning of the battel there appeared in the aire a *Crosse*, in form of the letter *X*; which so terrified the enemies, as presently they gave back: King *Athelstane* was himself there killed, whereupon the Village took the name, which at this day it enjoyeth of *Athelstan* Foord.

Hungus King
of *Picts* supplied
by *Achais*
King of *Scots*.

Hungus to expresse his thankfulness for the victory gave to the Church of *Regulus*, now called *S. Andrews* divers rich gifts, as Chalice, Basons, the Image of Christ in gold, and of his twelve Apostles in silver. He gave likewise a case of beaten gold for preserving the Reliques of *S. Andrew*, and restored to the Spirituality the tithes of all cornes, cattel, and herbage within the Realm; exempting them from answering before any temporal Judge. Further, he did appoint the *Crosse* of *S. Andrew*, to be the badge and cognifance of the *Picts*, both in their warres and otherwise; which as long as that Kingdom stood, was observed, as is by the *Scots* as yet retained. But all this was spoiled, as we said, by *Feredeth* the third in succession from *Hungus*, after which time nothing prospered either with him, or with that people.

Hungus his
thankfulness
for his victory.

For the line masculine of their Kings failing, *Alpin* the son of *Achais* did claim
the

An. 800.

The Scots
claim the
Kingdom of
the Picts.

the Crown as next in blood by vertue of an old Covenant betwixt the *Scots* and *Picts*; the *Picts* refusing to accept him being a stranger, made choice of this *Feredeth*, whom we named; and thereupon warre was denounced. The first encounter was at *Restennoth* in *Angus*; where in a cruel fight, which continued from the morning untill night, *Feredeth* was killed: his son *Brudeus* who succeeded, was made away by the *Picts* themselves in the first year of his reign, and *Kenneth* his brother that succeeded to him, came to the like unfortunate end. After *Kenneth*, another called *Brudeus* was elected King; and he in a battel fought not farre from *Dundy*, took King *Alpin* and many of his Nobles prisoners: which victory he used most foully, putting all the Nobles to death, killing the King, and causing his head to be set upon a pole in *Abernethy*, or as others write, in the city of *Camelon*.

Kenneth utterly
overthroweth
the Picts.

The *Picts* upon this victory supposing that they had utterly broken the courage of the *Scots*, did purpose nothing lesse then their extermination, which after the death of *Brudeus*, his brother *Drusken* that succeeded, went earnestly about. But *Kenneth* the second the son of *Alpin*, a Prince of a brave and heroick spirit, pursued so hotly the revenge of his fathers death, as having defeated the *Picts* in divers battels, he drave them all in the end forth of the Kingdom, and united that Crown to his own of *Scotland*. This *Kenneth* was a most wise and valiant King, and so circumspect in his businesse, that from that time forth none of the *Picts* were ever heard to resume the title of a King: The countreys which they inhabited, he divided amongst the Nobles, and others, whose labours in these warres had merited a recompence. He established good and wholesome Lawes. To the Church he gave another face, and a greater outward splendour then the former ages had seen, translating the Episcopall See (which whilest the *Pictish* Kingdom stood, was settled in *Abernethy*) to the Church of *S. Reul*, and ordaining it from thenceforth to be called *The Church of S. Andrews*, and the Bishop thereof *Maximus Scotorum Episcopus*, The principal Bishop of *Scotland*: Churches, Chappels, and Oratories, with their Priests, and all sorts of religious men he caused to be held in great reverence; and in a word, did so nobly perform all actions, both of Warre and Peace, as he may rightly be placed amongst the best Kings, and reckoned the *third Founder* of the *Scottish Monarchy*.

Boeth l. 10.

L. 1. l. 5.

THE

THE HISTORY

of the CHURCH

OF

SCOTLAND.

THE SECOND BOOK.

The Contents.

The Succession of Bishops in the several Sees of this Kingdome, especially in the See of Saint ANDREWS, with other principal things that happened in their times.



Having made a collection of such things as I found dispersed in stories, and warranted in any sort, for the first six hundred years of our Church, and being now come to the time wherein this Church by enlarging of the Kingdom received a further extention in bounds, and therewith an addition of more wealth, and state; I will, as beginning with a new account, follow the story therof by the succession of Bishops, especially in the See of Saint *Andrewes*, upon which the rest did depend.

The succession of Bishops in this Church after the subversion of the *Picts*.

The first Bishop who sat in this See, was *Adrian*, killed by the *Danes* in the Isle of *May*, in the year 872. with *Stolbrandus* a Bishop, *Monanus* an Archdeacon, *Glodianus* a Presbyter, and a number of other Churchmen, who fled thither for their safety. Whilest this Bishop lived, *Constantine* the second the son of *Kenneth* did keep a convention in *Scone*, for reforming the disorders which the loose and dissolute government of his predecessour *Donald* the first had caused. In that convention beginning was made at the Clergy, and concerning them it was ordained, "That they should reside upon their charges, and have no meddling with secular businesse. That they should instruct the people diligently, and be good examples in their conversation. That they should not keep Hawks, Hounds, or Horses for pleasure. That they should carry no weapons, nor be pleaders of civil causes, but live contented with their own provisions. And if they were tried to transgresse in any of these points, that for the first fault they should be fined in a pecuniary mulct, and for the second deprived from their office, and living. Thus was it not held in that time a diminution of Ecclesiastical authority, for Princes to give Lawes to the Clergy, and to punish them, if they were found guilty of any offence or crime.

Adrian the first in this account killed by the *Danes*.

An. 872.

A convention at *Scone* for reformation of the State.

An. 860.

Divers other statutes for redressing abuses crept into the Realme, were then also concluded: as, "That drunkennesse should be punished with death, that none should eat above one meal a day, nor accustom themselves to lye softly, or use any recreations, but such as might inure them to sufferance and labour. Whereby that good King did banish all riot and luxury, and in a short time brought the Kingdom again to a flourishing estate. But the *Danes* (as we said) invaded the countrey, and practising many cruelties whilest he did pursue them, who had entrenched themselves not farre from the Town of *Carrail*, he was unfortunately

Statutes for redressing abuses.

An. 904.



Scot. l. 2. in Catalogo Epif.
S. Andree.

King Grego y
his favours to
the Church.

Boeth l. 10.

with all his Army overthrowne; and being taken prisoner the day following, be-headed at the mouth of a little cave, which in detestation of that fact, is to this day called *The Devils Cave*.

2. Unto Bishop *Adrian* succeeded *Kellach*; how long he lived, I finde not.

3. After him *Malisius* governed the See by the space of eight years. This Bishop had the happinesse to live under *Gregory* called *the Great*, a King indued with all the vertues that can be wished for, or desired in a King. The privileges and immunities granted by him to the Church, do witnesse his piety; for in a convention held at *Forfare*, by an unanime consent of his Estates, he ordained, "That all Priests should from thenceforth be exempted from paying tribute, keeping watch, and going in warfare. That they should not be drawne before temporal Judges for any civil cause, but that all matters concerning them should be decided by their Bishops; the judgement of Matrimonial causes, right of Tithes, Testaments, Legislative actions, and all things depending upon simple faith, and promise, should be committed to the Bishops, with power to them to make Canons, and constitutions Ecclesiastical, to try hereticks, blasphemers, perjured persons, and Magicians, and censure such as they did finde delinquent in that kind; And that all Kings succeeding should at the time of their coronation, take oath for maintaining the Church in their liberties. These favours had the Clergy in the following ages used with that moderation and equity which they ought, we should not have seen nor felt the interruptions that have been made upon Church liberties, with the incroachments which in our time have been justly complained of.

Jo. Scotus called
Erigena.

Boeth l. 10.

Lest l. 5.

In this time lived that famous Scholar *Joannes Scotus*, called *Erigena*, from the place of his birth, which was the town of *Aire* in the West parts of *Scotland*. This man being very young, went to *Athens*, and followed his studies there some years, attained to great perfection in the *Greek*, *Chaldaick*, and *Arabick* languages. Returning afterward to *France*, at the request of *Carolus Calvus*, he translated in *Latine*, the work of *Dionysius de cœlesti Hierarchia*; at which Pope *Nicolaus* took exception, and wrote to King *Charles* on this manner. *Relatum est Apostolatus nostro, quòd opus Dionysii Areopagita, quod de divinis nominibus, vel cœlestibus ordinibus, Græco describit eloquio, quidam vir, Joannes genere Scotus, in Latinum transtulit: quod juxta morem nobis mitti, & nostro debuit judicio approbari; præsertim cum idem Joannes, licet multe scientiæ esse prædicetur, olim non sanus in quibusdam frequenti rumore dicatur.* We have been informed that one called *John* of the *Scottish* nation hath translated the work which *Dionysius* the *Areopagite* did write of the names of God, or of the heavenly Orders, into the *Latine* tongue: which book ought according to the custome, have been sent to us, and approved by our judgement; especially since the said *John*, albeit he be esteemed of good learning, hath been of long time held to be unsound in certain points of doctrine. Now the point which the Pope did chiefly quarrel, was his opinion of the Sacrament; for he had published a Treatise, *De corpore & sanguine Domini*, wherein he maintained *Bertram* his doctrine of that point. *Scotus* having knowledge of this, and thinking he could not be safe in those parts because of the Popes dislike, came into *Britain*, and was welcomed by King *Alfred* a great favourer of learned men, by whom he was employed to teach the languages at *Malmsbury Abbey*, and by some Scholars who could not indure the severity of discipline, was stabbed to death in the year 884. and buried in the same Abbey.

An. 904.

King Constantine the third
forsooketh the
publick life.

Pastor. l. 6. c. 27.

4. Bishop *Malisius* dying, *Kellach* the second, the son of one *Ferlegus* succeeded in his place: he was the first Bishop of this Kingdom that went to *Rome* to seek confirmation, and lived to a great age, for he sate Bishop 35. years. In his time *Constantine* the third King of that name, wearied with the troubles of a publick life, renounced his temporal dignity, and betook himself to solitude among the *Culdees* in *S. Andrews*; with whom he spent his last five years, and there died.

After this *Killach* these successively were Bishops.

5. *Malmore*.

6. *Malisius* the second.

7. *Alwinus*, who sate three years only.

8. *Maldwin* the son of *Gillander*, and

9. *Tuthaldus*.

In this time the coelibate of the Clergy was violently urged, and married Priests thrust from their livings; which raised great stirres in the Church, but the particulars are not recorded, nor the broyles which thereupon insued. I read in the Antiquities of the *Britannick* Church, that in the year 977. a Council was gathered at *Calne* in *Wiltshire* for that businesse, to which *Beornellus* a Bishop of *Scotland* was called by *Alfrith* the widow of King *Edgar*, who favoured the cause of married Priests. This Bishop, a man of great learning and eloquence, is said to have defended the conjugal life of Priests by solid reasons taken out of Scripture, and to have put all the opposites to silence. But *Dunstan* the Archbishop, who presided in that Council, when he saw that reason could not bear out the earand, fell a threatening, and said that notwithstanding all their arguments they should not carry away the victory; which he had no sooner spoken, then the beames of the house wherein they sate at Council, bursting asunder all were overturned, and fell headlong to the ground; many were bruised, and some killed with the fall; *Dunstan* himself only escaped without harm, the beam whereon he stood remaining whole and entire. Such as favoured the cause of Monks, did interpret this accident to be a sentence given by God on their side; others said that *Dunstan* had wrought this mischief by forcery, (for many supposed him to be a Magician.) However it was, the married Priests (though repining) were forced indeed to yield and submit themselves. What became of *Beornellus*, I read not, nor whether he returned to his country.

An. 977.
Camd. ant.

The names of some other Bishops we have, who were in good accompt at that time, such as *Blaanus*, *Englatius*, *Colmocus*, and *Moveanus* Confessor to King *Kenneth* the third, a wise and valiant King, and one who might have been reckoned amongst the best Princes, if about his latter end he had not stained his fame with the murder of *Malcolm* his Nephew, whom he made away by poyson; but the ambitious desire he had to settle the succession in his own posterity, let him to work this villany: which he carried in so covert a manner, as no man did once suspect him thereof (the opinion of his integrity being universally great:) but as wicked facts can never be assured, though possible they may be concealed; his mind was never after that time quiet, the conscience of the crime vexing him day and night with continual fears. In end (whether it was so in effect, or if his perplexed minde did form the self such an imagination) whilest he lay asleep, he heard a voyce speaking to him in this sort: "Doeft thou think, that the death of *Malcolm* that innocent Prince treacherously murdered by thee, is hidden from me, or that thou shalt passe any longer unpunished? No, there is a plot laid for thy life which thou shalt not escape: and whereas thou didst think to transmit the Crown firm and stable to thy posterity, thou shalt leave the Kingdom broken, distracted and full of trouble."

Poeth l. 11.

The King awaked with the voyce was stricken with great terrour; in the morning early calling *Moveanus*, he laid open to him the grief and vexation of his minde: who giving the King his best counsel for the pacifying of his conscience, did advise him to bestow almes upon the poor, visit the graves of holy men, have the Clergy in greater regard then he was accustomed, and perform such other external satisfactions, as were used in those times. The King following his directions did carry himself most piously, not thinking by these outward deeds of penance to make expiation for his sin; for they were not become as yet so grossely ignorant, as to believe that by such external works the justice of God is satisfied; albeit some idle toyes, such as the visiting the graves of the Saints, kissing of Reliques, hearing of Masses, and others of that kinde, which Avarice and Superstition had invented, were then crept into the Church; yet people were still taught, that *Christ* is the only propitiation for sin, and that by his blood the guilt thereof is only washed away. This being still the doctrine of the Church, to think that *Kenneth* was any other, is scarce charitable. Alwayes as he was visiting the grave of *Palladius*, being invited to lodge in the Castle of *Fettercarne*, he was there treacherously murdered. But to return to our Bishops.

Buchan. l. 6.

King Kenneth
murdered in
the Castle of
Fettercarne.

10. *Fothadus* succeeded next after *Tuthaldus*, a man greatly respected for the

An. 1004.

Buchan. l. 6.

Scon. li. in Catalog. Episc. S. Andrews.

Buchan. l. 6.

Boeth l. 11.

The Danes defeat at Murthlack in Angus by Malcolm.

An Episcopal See at Murthlack.

An. 1004.

Boeth l. 11.

Pass. l. 4. c. 44.

Buchan. l. 6.

An. 1034.

Buchan. l. 7.

Boeth l. 12.

opinion conceived of his holiness. In the competition which *Grimus* had with *Malcolme* the second for the succession of the Crown, by his wisdom and the trust they reposed in him, they were brought to an agreement, and a most perilous commotion stayed. How long he sat Bishop, is not recorded; in his time lived *Vigianus* a Monk, an eloquent Preacher, *Coganus* an Abbot, and *Onanus* a Deacon, men of especial accompt.

II After the death of *Fothadus*, *Gregorius* was elected and consecrated Bishop: he lived in a troublesome time; for soon after his election, the *Danes* did of new invade the country, and landing in *Murray*, had such success at first, as they did think to make conquest of the Realm. But *Malcolm* the second having repulsed them at a battle fought at *Pambride* in *Angus*, did pursue them unto *Buchane*, where at a Village called *Murthlack* he gave them an utter overthrow, and forced those that escaped to swear, that during the reign of *Malcolm*, and the life of *Swane* their King, they should never return into *Scotland*.

To memorize this victory, the King did Found an Episcopal See at *Murthlack*, enduing the same with rents forth of the adjacent lands: and calling the Clergy to an assembly in the Town of *Bertha*, (now *Perth*) he enacted by the advice of Bishop *Gregorius* divers Canons for their better government. At the same time in a convention kept at *Scone*, to reward those that had done well in the late warres, he gave away all the Crown lands, reserving little or nothing to himself. The Barons to requite his liberality, did grant to him and his successors Kings of *Scotland*, the Ward of all their lands, with the benefit that might accrew by the marriage of the heir. But this being casual and uncertain, proved unsufficient for maintaining his Royal estate, so that necessity (the sure companion of immoderate largition) did force him to make unlawful shifts: whereby he came to be as much hated in end, as he was loved at first; and by some villains that thought themselves wronged by him, was murdered in the Castle of *Glammes* after he had reigned 30. years. Before his time the titles of *Thane* and *Abthane*, were the only titles of honour and dignity in the Realm: whereas he to give a greater splendor to the State, did introduce all these offices which are now in use, and are commonly called *Offices of Estate*.

Duncan the first his Nephew by *Beatrix* his daughter succeeded to the Crown, whose weakness and simplicity made way to *Mackbeth* his Cousin-germans usurpation; for he conspiring with *Bancho* a man of great place, deprived the King both of his Crown and life, in the seventh year of his reign. The Kings two sons, *Malcolme*, surnamed *Canmore*, and *Donald Bane*, fearing the cruelty of the Tyrant, withdrew themselves and fled; *Malcolme* into *Wales*, and *Donald* into the *West Isles*. Thus none being to oppose, *Mackbeth* did assume to himself the Crown, and for the first ten years governed the Kingdom better with justice than he got it. Afterward growing suspicious, and seeking to rid himself of those that might prove his enemies, he began his cruelty at *Bancho*, who had an hand with him in the Kings murder: and inviting him on a night to supper with his son *Fleanche*, as they were returning to their lodgings, made some lie in the way to murder them. *Bancho* doubting no harm was killed, but his son *Fleanche* through the darkness of the night escaped. The Nobles detesting this treachery, and fearing it might turn to be their own case, retired home to their dwellings. *Mackbeth* finding himself to be forsaken of his Nobles, and knowing that he was hated by the people, fell then to practise open Tyranny, and forging quarrels against the better sort, did upon light causes put divers to death.

The *Thane of Fife*, called *Mackduffe*, a man of great power, out of a suspicion he conceived fled into *England*; where meeting with *Malcolme* the lawful heir of the Crown, after he had expounded the misery whereunto the country was brought by the cruelties of *Mackbeth*, and the reasons of his own flight, did persuade him to return and repeat his Fathers Kingdom. *Malcolme* who often before had been solicited to return, by such as *Mackbeth* did suborn: made answer, *That he understood all these things to be true which were related; but if,* said he, *ye knew how unfit I am for government, you would not be so earnest as you seem, to call me home; for not to dissemble*

with

with you, whom I esteem my friend, the vices which have overthrow many Kings, Lust and Avarice, do reign in me: whilst I live obscure, and in a private sort, these faults are not espied; but if I were in place of Rule, the same would soon appear, and break forth. Mackduffe replying, "That these were no reasons to keep him back, "for that marriage and time would quench Lust; and for Avarice, when he should "have abundance, and be out of fear of want, it would cease. That, said he, possible may be, but I have an imperfection greater then these, for I can trust no man, and have found such falshood in the world, as I am jealous of every one, and upon the smallest suspicions, (for I measure every man by my self) I break and alter all my courses. "Away then, said Mackduffe, I am unfortunate, and thou unworthy to Reign: and with this word he made to depart. Then Malcolme taking him by the hand, said, I do now know thou art a man worthy of trust, and will not refuse to undergoe any hazard with you; for as to these vices we have been talking of, I thank God none of them do reign in me, onely I speak this to discover your minde and disposition. Thus both agreeing upon the enterprize, they gave private notice to their friends of their coming; and obtaining a supply of ten thousand men, from King Edward under the leading of Sibard Earl of Northumberland, Malcolmes Grand-father by the Mother, they entered into Scotland. The rumour of this Army did cast Mackbeth into a great terror, and not knowing what to do, (for he was deserted of all) he shut up himself at first in the Castle of Dunsinnan, a Fort that he had lately built. The Army marching thither, how soon they came in sight, Mackbeth out of a new fear forsook the Fort, and made to flye by horse; but being pursued by some of Malcolme his friends, he was overtaken and killed.

An. 1057.

A discourse
between Mack-
duffe and Mal-
colme.
Boeth. l. 12.

Paſt. l. 5. c. 3, 4.

Scotichron l. 7.

Upon this victory Malcolme was declared King, and crowned in Scone the 25. of April, 1057. Soon after his Coronation, calling the Estates together at Forfar he restored the children of those that Mackbeth had forfeited: and to correct the intemperances of the people, and to recall them to the ancient frugality, made divers good statutes, repealing that beastly Act of Eugenius the third, which appointed the first night of the new married woman to appertain to the Lord of the ground, and granting the husband liberty to redeem the same by payment of an half Mark of silver, which portion they call *Marchetas mulierum*, and is as yet disposed by superiours in the Charters they give to their vassals.

An. 1057.

Buchan. l. 7.

In this Convention likewise the Bishops, who, as we shewed before, did indifferently administrate their functions in all places to which they came, had limits appointed to them for the exercise of their jurisdiction. To Saint Andrewes was committed the oversight of Fife, Louthian, Merce, Striveling-shire, Angus, and Mernis. Glasgow had the charge given him of the West parts and Borders; Galloway this countrey which yet beareth the name: and Murthblack all that is now of the Diocye of Aberdeen. Besides these, the King did erect Murray and Cathnes in two Bishopricks, appointing able men for the discharge of the service, and providing them with maintenance sufficient, he gave the Lordship of Momemusk, the superiority whereof belongs as yet to that See. The Church of Dunfermling he built from the ground, and laid the foundation of the Cathedral in Durham, advancing great summes to the perfection thereof. In all which, he was much furthered by that blessed Lady Queen Margaret his wife.

Dioces ap-
pointed by the
Bishops.Cathnes and
Murray erected
by King Mal-
colme the third.

That we may better know this Lady, and how she came to be married unto Malcolme, I must relate a few things belonging to that purpose. Edmond King of England surnamed Ironside, being treacherously killed at Oxford, Canutus a Dane, who reigned in a part of that kingdome, attained the absolute dominion of the whole. This Edmond left two sons, Edwin and Edward, whom Canutus in the beginning entertained very kindly, but afterwards seeking to establish the Crown in his own posterity, he sent them to Volgarus the Governour of Swain to be murdered. The Governour pitying the estate of these innocent youths, conveyed them secretly unto Solomon King of Hungary, giving out to Canutus that they were made away; Edward (surviving Edwin his brother) married Agatha sister to the Queen of Hungary, and daughter to the Emperour Henry the second, by whom he had a son called Edgar, and two daughters, Margaret and Christian. After Canutus his death

The History
of Queen Mar-
garet, and her
marriage with
King Malcolm.

An. 1057.



succeeded *Harold* his eldest son, whose reign was cruel and short, and four years only. And after him *Hardicanutus*, who died suddenly in the second year of his reign, and was the last of the *Danes* that ruled in *England*.

Upon his death *Edward* brother to *Edmond Ironside* living then in *Nomandy*, was recalled and Crowned King of *England* at *Winchester*, in the year 1042. This is he that is called *Edward the Confessor*, a most pious King, who having no issue, sent to *Hungary* for his Cousin *Edward*, and for his children. *Edward* soon after his coming died, so *Edgar* surnamed *Atheling* remained, to whom King *Edward* would willingly have resigned the Crown; but such was the modesty of that young Prince, as he did absolutely refuse to reign during the King his life: That lost him the Crown, for upon the death of the King, *Harold* son to Earl *Godwin* was preferred, Prince *Edgar* his right utterly misknown. But *Harold* his reign continued not long. *William* Duke of *Normandy* commonly called *the Conqueror*, having killed him in a battel fought in *Sussex* the next year, usurped the kingdom to himself. *Edgar* fearing the Conquerors cruelty, took sea with his mother *Agatha*, and his two sisters, *Margaret* and *Christian*, intending to return into *Hungary*, but were by Tempest driven upon the coast of *Scotland*, where King *Malcolme* that had learned by his own sufferances to compassionate the distresses of others, did most courteously receive them, and shortly after their coming took *Margaret* the eldest sister of *Edgar* to wife, a Lady of rare vertue; who though she brought him little or no portion, made both him and his kingdom happy.

King *Malcolme*
and the Con-
querour at
Warre.

Peace conclu-
ded amongst
them.

The contrary
disposition of
King *Malcolme*,
and *William*
Rufus.

Bishop *Grego-
rius* dieth.

Turgot elected
in his place.
Buchan. l. 7.

How soon the *Norman* had settled his dominion in *England*, he sent to King *Malcolme* to require *Edgar* his competitor and fugitive (as he termed him) to be rendered. *Malcolme* refused, holding it an unseemly deed in a King, to deliver any person that took their refuge to him, much more to betray a Prince allyed to himself, unto his mortal enemy. Hereupon Warre was proclaimed, and one *Roger* a Nobleman of *Normandy* sent to invade *Northumberland*, which was then in the possession of the *Scots*. *Richard* Earl of *Gloucester* did second him with a great power, but both these were put to the worse. *Odon* the *Normans* brother, who of a Bishop of *Bayeux* was made Earl of *Kent*, as likewise his own son *Robert*, whom he employed with several Armies, did prosper no better; so as wearied of the warres, he began to think of peace: neither was *Malcolme* unwilling unto it; and after some treaty, it was accorded, That King *Malcolme* should retain *Cumberland* with the same right that his predecessours did enjoy it: and that the subjects of each kingdom might know their limits, and how farre they were to passe; a stone-crosse was erected in *Stammore*, which was called the *Ree Crosse*, that is, the Crosse of Kings; for on the North side thereof, the Armes of the King of *Scotland* were graven, and upon the South, the Armes of the King of *England*.

This peace held firm all the Conquerours time, but *William* called *Rufus* his son succeeding, it quickly dissolved; neither could it be otherwise, considering the contrary disposition of the two Kings; for as *Malcolme* was religiously given, and a great Benefactor to the Church, so *Rufus* in all his carriage, manifested no affection that way: For to enlarge his Forest at *Winchester*, he demolished thirty Churches, and forced *Anselme* that good Bishop of *Canterbury* to quit the kingdom, for the liberty he used in his reprehensions. It was also thought that the interview of the two Kings at *Gloucester* did further their dislike (as hath been often observed to fall out in the meetings of Princes.) For *Malcolme* departed from him in displeasure, *Rufus* by some secret practice got the Castle of *Amwick*, whereupon arose the warre; in which King *Malcolme* and Prince *Edward* his son did both perish.

A little before the beginning of this warre, Bishop *Gregorius* died, and in his place one called *Edmundus* was elected, who deceased before his consecration.

12. After him *Turgot* Prior of *Duresme* was chosen Bishop: he wrote the history of King *Malcolme*, and Queen *Margaret*, who some few dayes after the death of the King her husband, departed this life in the Castle of *Edinburgh*, and was buried in the Church of *Dunfermlin*, whither also the bodies of *Malcolme* and *Edward* his son were afterwards translated; for at first they were buried in *Tinmouth* Abbey.

Never

Never was more lamentation made for the death of two Princes, then was for this Queen and her husband, *Malcolme*. To speak of his piety, justice, and magnanimity, he outwent in all these the Princes of his time: and for courage, he gave a noble prooffe of it in the first entry of his reign, when upon a conspiracy detected against his life, riding one day in the fields, he called the chief conspiratour, and taking him aside from the rest of the company unto a secret place, he did challenge him as a Traytor, willing him, if he had any valour, to shew the same, and rather take his life in an honest manner, then treacherously. The man confounded with the boldnesse of the King, fell upon his knees and intreated pardon; which the King granted, retaining him still in his service as before. The magnificence of his Court whilest he lived was great; and in the State to distinguish the degrees of Honour, he introduced the titles of *Earl*, *Baron*, and *Knight*, in the place of *Thane*, and *Abthane*, which were the titles before in use.

His Queen *Margaret* was in her place no lesse famous in all the vertues that became women, devout towards God, charitable to the poor, and exceeding liberal in the advancing of publick works. The Church of *Carlile* she built upon her own charges; and was esteemed not to be the least cause of all that the King her husband bestowed that way. By her the King had a fair issue, six sons, and two daughters; the first called *Edward*, died with his father at *Anwick*; the second called *Edmond*, did render himself religious; *Etheldred* the third deceased young: the other three, *Edgar*, *Alexander*, and *David*, reigned successively one after another; continuing all of them in the same course of goodnesse. The names of the two daughters, were *MAUD*, and *MARY*. *MAUD* entring into the Cloister, wherein *Agatha* her Grandmother, and *Christian* her Aunt lived retired; was with much difficulty wonne to descend into the world, and to be joyned in marriage with *Henry* the first King of *England*; a Lady of incomparable vertues, and of so good a disposition, as she was commonly termed *MAUD the good Queen*. Having lived 17. years with her husband in great love, she deceased at *Westminster* the first of May, 1118. and was buried on the right hand of *Edward the Confessor* his Tombe, with this Epitaph affixed.

*Prospera non latam fecere, nec aspera tristem:
Aspera risus ei, prospera terror erant.
Non decor effecit fragilem, non sceptrum superbam:
Sola potens humilis, sola pudica decens.
Maii prima dies nostrorum nocte dierum,
Raptam perpetuum fecit inire diem.*

The other sister *MARY* was married to *Eustathe* Earl of *Boloign*, who went to the recovery of the Holy-land, with that noble Prince *GODFREY* his brother, she bare to him one only daughter, named *MAUD*, who was afterward matched to *Stephen* King of *England*, and departed this life at *London* three years before her sister, having her corps interred at *Bermondsey* Abbey in *Southwark*, with this inscription.

*Nobilis hic tumultata jacet, comitissa Maria:
Artibus hac nituit, larga, benigna fuit.
Regum sanguis erat, morum probitate vigebat;
Compatiens inibi, vivat in arce poli.*

Thus much we owed to the memory of those good and glorious Princes, and now return; *Turgot* after he had governed the See of *St. Andrewes* with good commendation some 25, or 26. years, died in the year of our Lord 1117. his corps according to his appointment, was honourably conveyed to *Duresme*, and there interred.

In his time lived *Veremudus* Archdeacon of *St. Andrewes*, a *Spaniard* by nation, and well learned according to those times; he wrote the history of *Scotland*, from the

An. 1117.

The vertues of
King *Malcolme*
the third.The praise of
Queen *Margaret*.Her issue by
King *Malcolme*.

Euchan. l. 7:

Sa. *Daniel* in his
Collection.

An. 1117.

Scon. lib. in Ca-
talog. Episc. S.
Andrewes.

An. 1008. the beginning of the kingdom unto the reign of *Malcolme* the third, and is greatly commended for his diligence and fidelity in that work, but by the injury of time the same is lost.

In *Germany* much about the same time lived *Marianus*, *Paternus*, *Ammichadus*, *Sigebertus*, and *Helias*, all of them *Scotch men*, and well respected. This last had the government of two Monasteries in *Coleyn*, called *S. Pantaleon* and *S. Martin*. The severity and rigour that he used toward his Monks, brought him in dislike with *Piligrinus* Archbishop of the City, who upon some false informations determined to expulse him and all the *Scottish* Monks that were in the City, after his return from the Emperours Court, where he was for the time. This being reported to *Helias*, he is said to have uttered these words; *Si Christus in nobis peregrinus est nunquam virus Coloniam veniet Piligrinus*: which falling out according to his prediction purchased to him the reputation of a Prophet. After that, he lived many years in peace, and died at *Coleyn* in the year 1042.

Sigebertus having governed the Monastery of *Fulden* some years, was preferred to the Archbishoprick of *Mentz*, and being urged by *Gregory* the seventh, called *Hildebrand*, to depose the married Priests that would not separate from their wives, was in danger to be detrudd by his Clergy, and had much adoe to cause that Law of single life to be embraced by them.

Ammichadus a man nobly born, and greatly affected to the solitary life, lived a Recluse in the Abbey of *Fulden*, spending his time in the meditations of mortality, and died in the year 1043.

Paternus was a Monk in the City of *Potelbrum*, which in the year 1058. was consumed with fire: *Ambiens Martyrium*, saith *Marianus*, in a foolish affection of Martyrdome, refusing to come forth of the Monastery, was therein burnt alive.

Marianus.

Marianus, he was first a Monk in the Monastery of *St. Martin* at *Coleyn*, founded by *Ebergerus* the Archbishop of that City, for a Seminary of *Scottish* students, in the year 666. and having continued there two years, went to the Abbey of *Fulden*, where he lived ten years. After that he went to *Mentz* upon the Archbishops visitation, and stayed there some 15 years. All this time he employed in the study of letters, especially of Story and Chronology, wherein he attained to such a perfection, as he was accompted the only Chronologist in his dayes; the Chronicle he wrote from the beginning of the world, unto the year of *Christ* 1183. yet extant, doth testifie no lesse. He died at *Mentz* in the year 1186. and was buried in the Church of *St. Martin* within the City; and thus much for the learned men of our countrey, that lived in the time of *Turgot*.

An. 1098.

13. Next after *Turgot Godricus* succeeded in the See of *Saint Andrewes*: this Bishop did anoint King *Edgar* the son of *Malcolme*, in the year 1098. after the manner of other Christian Princes; which rite had not been formerly used in the Coronation of our Kings, and (as they write) was obtained from Pope *Urban* the second, at the request of Queen *Margaret*: for the Popes of *Rome* having as then advanced themselves above Kings, did take on them the conferring of these Ensignes of Majesty to whom, and where they pleased. This *Edgar* was a good King, and greatly beloved of all his subjects. The Abbey of *Cauldingham*, which in former times had been a sanctuary of Virgins, he gave to the Church of *Duresme*, but upon the ungrate behaviour of *Ranulph* Bishop of that See, a man noted of much corruption, he recalled his gift, and erected the same into a Priory.

King *Edgar* erected the Abbey of *Cauldingham* in a Priory.

King *Alexander* the Fierce, took advice of the Archbishop of *Canterbury*.

Upon the death of *Godricus*, King *Alexander* surnamed the Fierce, sent to *Radolph* Archbishop of *Canterbury* to have his advice for the promoting of some worthy person unto the place; and in his letters directed to that effect, complained of the Archbishop of *York* his encroaching upon the Church of *Scotland*, through the oversight of *Lanfrank* Archbishop of *Canterbury*, that had given way to the consecration of some of the Bishops of *Saint Andrews* at *York*, whereas in old times they were not wont to receive Consecration, but either from the Bishop himself, or from the Archbishop of *Canterbury*; Therefore desired his assistance in redressing that abuse, which he said he could not any longer tolerate. Now this *Radolph* was at

at the same time in question, with *Thurstan* the elect of *York* for his consecration, to which by no means he would assent, unless *Thurstan* would make profession of obedience to the See of *Canterbury*. And about that was so much business made, that *Radolph*, though he was then both aged and sickly, did undertake a journey to *Rome*, to debate his right. At his return, which was some four years after (so long did the See of *Saint Andrews* remain void) the King sent to him *Peter* Prior of *Dunfermlin*, and one of his own Gentlemen to congratulate his safe return, and request that *Eadmerus* a Monk of *Canterbury*, a man well reported of, might be sent hither, for filling the place. *Radolph* knowing that *Eadmerus* had neither by himself, nor by any other indirect means moved the business, and so taking it to come of God; howsoever it grieved him, that the Church of *Canterbury* should lack the benefit of his service; gave his consent, and having obtained King *Henry* his licence (without whose knowledge he would not have him go into a strange country) sent him to *Alexander* with an ample recommendation, in substance this: "We give unto God (said he) everlasting thanks, for that it hath pleased him to open the eyes of your mind, and make you know and seek that which you should; and to your Highness self we esteem our selves greatly bound, because of your friendly and familiar usage: for albeit your desires tend to our hurt, and are not less grievous to us, then if you should pull out our eyes, or cut off our right hand, we cannot but commend your desire, and so far as we may in God, obey the same. Therefore unwilling, and yet willing, we yield unto your will; willing in so farre as we perceive it is Gods will which we dare not withstand, nor will we in any thing willingly displease; yet unwilling, for that we are left alone, and deprived of his fellowship, who as a Father ministered unto us consolation in time of grief, giving us sound advice in many perplexed cases, and was to us a most helpful Brother in this our infirm and old age. If any other should have required him of us, we would no more have parted with him, then with our own heart; but there is nothing, which in God we can deny you. Thus we send unto you the person that you desired, and so free, as you may lay on him what charge you will, so as it be to the honour of God, and to the credit of the Mother Church of *Canterbury*. Do therefore what you purpose wisely, and remit him unto us with diligence to be consecrated, because delay in that errand may breed impediments, that we desire to eschew, &c.

An. 1098.

The Archbishop of *Canterbury* and *York* at difference.

Archbishop of *Canterbury* his letter to king *Alexander*.

Eadmerus bringing with him this Commendatory letter, was the third day after his coming elected Bishop by the Kings licence, and with consent both of the Clergy and Laity; but the next morning whilst the King conferred with him apart touching his consecration, he began to magnifie the Church of *Canterbury*, and the authority it had over all the Churches of *Britain*; declaring that by his leave, he would seek the Episcopal benediction from the Bishop, and not receive it at the hands of any other: which offended the King greatly; for by no means could he endure to hear of this Churches subjection to the *English*. Thereupon the Monks who had been trusted in the yeares preceding with the intromission of the rents, were charged to uplift the same, and to impede the elect his possession. Yet within a few dayes the King going in an expedition against some rebels in the country of *Ross*, by the intercession of Noblemen it was agreed that *Eadmerus* should receive the Ring out of the Kings hand, and the Crozier being laid upon the Altar, he should take up the same, and that way be invested into the Bishoprick. In this sort was he entered to his charge, the Clergy and people accepting him for their Bishop.

Eadmerus hist. l. 5. & 6.

King *Alexander* offended that *Eadmerus* would not be consecrated in *Scotland*.

He is invested in the Bishoprick by the intercession of the Noblemen.

Mean while, *Thurstan* the Archbishop of *York*, who was then beyond sea, ceased not to solicit King *Henry* of *England* by his letters to impede the consecration; for which effect, three several messages were sent to King *Alexander*. *Eadmerus* upon the distast the King had taken of him, was not much respected: which he perceiving, and withall considering that the King being his unfriend, his service could not be very profitable to the Church and Kingdome, resolved to go unto *Canterbury*, and seek the advice of his brethren and friends in those parts. This signified to the King, he said that the Bishop had nothing to do with *Canterbury*, nor so long as he lived should

Thurstan the Archbishop of *York* opposes the consecration of *Eadmerus*.

An. 1124.

Eadmerus de-
parteth into
England upon
the Kings dis-
like.

He purgeth
himself to the
Archbishop.

An. 1124.

Robert Prior of
Scone elected
Bishop of Saint
Andrews, and
consecrated at
York.
The Abbey of
Scone and Saint
Columbe found-
ded.
Cursus Apri
given to Saint
Andrews.

King David
succeeded to
Alexander, and
his beneficence
to the Church.

King David
taxed of profu-
sion.

His magnifi-
cence vindicate
from these
aspersions.

should any Bishop of *Scotland* professe subjection to that See. Which being reported to the Bishop, he replied in passion, *That not for the Bishoprick, nay not for all Scotland, would he deny himself to be a Monk of Canterbury.*

Falling thus more and more in the dislike of the King, and jarres daily encreasing, he employed the Bishop of *Glasgow* to try the king his minde towards him: who told him that he found the King greatly displeased with his courses, and if he continued in the same minde, he was not to expect his favour. Hereupon *Eadmerus* resolving to depart, delivered back the Ring which he had received from the King, and laid down his Crosier upon the Altar, with a protestation that he was forced thereunto, and so went away. The King did by his Letter purge himself to the Archbishop of *Canterbury*, declaring that it was not his fault, but wilfulness on *Eadmerus* his part, which made him relinquish his charge. But the Archbishop a man of courteous nature not willing further to enquire of the reasons of *Eadmerus* his departure, passed over the businesse with a gentle answer to the King for that time. I finde upon better advice, that *Eadmerus* made offer to return, and give the King satisfaction in all he required; but herein he was prevented by a new election, which the King had caused to be made.

15. For how soon it was advertised that *Eadmerus* had a purpose to return, the King for his own peace did think it most sure to have one of his Subjects preferred to the place; and so recommending to the Chapter *Robert* Prior of *Scone*, he with an uniform consent was chosen Bishop, and stood elect two years (for before King *Alexander* his death, which happened in the year of our Lord 1114. he was not consecrated;) then he received the benediction at the hands of *Thurstan* Bishop of *York*, with reservation of the priviledges of both Churches: which if the King had lived, would not have been permitted; for he was a Prince that stood much upon his royalty, and would not endure at any hand the least encroachment either upon his Kingdome, or upon the Church. The Abbeyes of *Scone* and *S. Columbe* were founded by this King. To the See of *S. Andrews* he was a great Benefactor, and gave the lands called *Cursus apri*, the Boars chace, and was resolved to do more in that kinde, if he had not been taken away by death.

But what may be thought lacking in him was abundantly supplied by his brother and successor King *David*, whose beneficence that way exceeded all others; for besides the repairing of these Monasteries which was either by age become ruinous, or were defaced by injuries of warre, he erected the Bishopricks of *Rosse*, *Brichen*, *Dunkeld* and *Dumblane*, with the Abbeyes of *Fedburgh*, *Kelsoe*, *Melrose*, *Newbottle*, *Halirudhouse*, *Kinlosse*, *Combuskenneth*, *Dundrennan* and *Holmculiram* in *Cumberland*; he founded likewise two religious Houses at *Newcastle*, one for the *Benedictins*, another for the *white Monks*; and for professed Virgins, two Monasteries, one at *Berwick*, and another at *Carlisle*: all which he provided with competent Revenues.

Some of our Writers have taxed this most worthy King for his immoderate profusion, as they call it, on these Monasteries; and *Holinshed* saith that his unmeasurable liberality towards the Church, made his Successors oppress their Nobles at home, lay impositions upon the people, and doe many other things prejudiciall to the Commonwealth, that they might have wherewith to maintain their royall estates. But herein he erreth greatly, for let an examination be taken of the behaviour of our Kings in the ages succeeding, it will appear that their proceedings either with their own Subjects at home, or with their Enemies abroad have been more justifiable then the doings of any of their Neighbours: neither can it be shewed, that any one of them did ever take those indirect courses which he mentioneth, for penury or want. But it is easie to speak ill, and deprave the actions of the best Princes.

It is true, that profusenesse in any person, especially in a King, is not to be allowed, for that it bringeth a great mischief both to the King and Subjects; but the bestowing of sixscore thousand Franks (that is the highest estimate they make of his donations) cannot be called an immoderate profusion. He was certainly a most wise King, and knew well his own work, and could proportion his Gifts to his Revenues. Neither was his liberality an hindrance to his Successors in the do-
ing

ing of the like pious works; for *Malcolm* who succeeded did erect the Abbey of *Couper* in *Angus*, *Santray* in *Lothian*, and a religious house at *Manwell* for professed Virgins. King *William* erected the Abbey of *Aberbrothock*, and his Queen *Emergarda* the Abbey of *Balmerinosh*. The like did the following Kings in their own times, which shewed that he did not leave his Successors destitute of means to support their royall estate. This further will I boldly affirm, that if there be any profusion excusable in Princes, it is this: for besides that these foundations are the most lasting monuments to glorifie their memories, they are the readiest helps which they shall finde to supply their necessities at all occasions.

An. 1159.



Now whereas some have disapproved these donations because of the fruits that ensued, meaning the abuses that crept in by the corruption of the persons, who did afterwards enjoy them; if this reason should hold, the best of Gods creatures, and the most pious institutions which ever were in the world, should be all condemned; for what is it that was ever put in the hands of men to use, that hath not been corrupted? and to cast the faults of men upon the things themselves, is a great iniquity.

Buch. l. 7.

The faults of person ought not to be cast on things abused.

But this superfluous enriching of Monasteries whereof they speak, came not by this mean. The foundations at first were moderate, and no way excessive; but in after times the Prelates growing sluggish, and shaking off the care of preaching, as a work not befitting their dignity, they to flatter the Predicants, who had then all the way among the popular, and to be recommended of them for charitable and devout Prelates, gave away almost all their own Churches, and impropriated them to Abbeyes. leaving a poor Priest to do service in the Parish: and of this did spring a world of evils, which since that time could never be remedied. This I thought needfull to be said for vindicating the fame of that good King, who in all his actions, both private and publick, lived beyond all censure, so as it is truly said of him, "That the most learned wits who have gone about to frame the character of a good King, could never devise nor imagine such a one, as he did expresse himself in the whole course of his life."

Whence the superfluous enriching of Abbeyes proceed.

Buch. l. 7.

But to follow our purpose; Bishop *Robert* living under this King, and some six years after, did carry himself in all the parts of his charge commendably; he founded the Priory of *S. Andrews*, and obtained to the City the liberties of a *Burgh Royall*, placing therein one *Mainard a Fleming* to be Provost, and departing this life in the year 1159. after he had sate Bishop 35. years was buried in the Church of *S. Rēwle*, the Cathedrall not being as yet built.

An. 1159.

Bishop Robert dieth.

There flourished in this time two of our Countreymen, *Richardus de sancto Victore* a Channon regular of the order of *S. Augustine*, and *David* a Presbyter. This *David* lived in *Germany*, and was chosen by the Emperour *Henry* the fifth to accompany him in that expedition which he made to *Italy* against Pope *Paschal*; the Story whereof he wrote, as likewise a Treatise *de regno Scotorum*, both which are perished.

Richardus de sancto Victore with *David* a Presbyter.

Richardus was a professor of Divinity at *Paris* in the Abbey of *S. Victor* a great Philosopher, and left many books that witness his learning, the Titles whereof you may read in *Baleus*. He died in the same Abbey, and was buried with this Epitaph:

*Moribus, ingenio, doctrina clarus, & arte,
Pulvereo hic tegeris, docte Richarde, situ.
Quem tellus genuit felici Scotica parit,
Te fovet in gremio Gallica terra suo.
Nil tibi Parca ferox nocuit, quæ stamina parco
Tempore tracta gravi rupit acerba manu.
Plurima namque tui superant monumenta laboris,
Quæ tibi perpetuum sunt paritura decus.
Segnior ut lento sceleratas mors petit ædes:
Sic propero nimis it sub pia tecta gradu.*

16. Bishop *Robert* deceasing, *Walthemius* Abbot of *Melrosse* was earnestly entreated to accept the Charge, but would not forsake the Monastery, saying, That he had

An. 1159.

had washed his feet, and could not contaminate them again with the dust of earthly cares. Whereupon *Arnold* Abbot of *Kelso* was elected, and in presence of King *Malcolm* the fourth consecrated by *William* Bishop of *Murray*. This Bishop had been the year preceding directed to *Rome* with one *Nicholaus* the Kings Secretary, to complain of the Archbishop of *York* his usurpation upon the Church of *Scotland*, and being then returned, carried himself as Legate to the Pope; which power he resigned to *Arnold* after his Consecration, as he was enjoined by *Eugenius* the third, who then held the Chair.

In a Convention of the Estates kept the same year, *Arnold* did earnestly insist with the King to make choice of a wife for assuring the royall succession, and to that effect made a long speech in the hearing of the Estates; but the King had taken a resolution to live single, and would not be diverted. *Edward* Bishop of *Aberdene* was much blamed for confirming him in that course, and for that cause hated of many. The Cathedrall of *S. Andrews*, a fair and stately Church whilest it stood, was founded by this *Arnold*, but before the work was raised to any height he died, having sate Bishop one year, ten moneths, and seventeen days onely.

17. Upon *Arnold* his death the King did recommend his Chaplain *Richard* to the place, who was immediately elected by the Convent, but not consecrated for the space of two years after, because of the Archbishop of *York* his pretensions. One *Roger* held at that time the See of *York*, a man ambitious beyond all measure, who from being Archdeacon of *Canterbury* was by the means of the Archbishop *Thomas Becket* preferred to that place; no sooner was he advanced, but he procured of Pope *Anastasius* the fourth a Bull, whereby he was designed *Metropolitane of Scotland*; but the King and the Clergy (notwithstanding the Popes authority was in those days greatly respected) refused to acknowledge him. *Anastasius* dying, by whom the Archbishop *Roger* was maintained, the Prelates of *Scotland* did convene, and by themselves performed the Consecration. *Roger* incensed herewith sent to *Rome*, and complaining of this contempt, found the favour to be made Legate of *Scotland*: by vertue whereof, he caused cite all the *Scottish* Clergy to appear before him at *Norham* in *England*, whither he came in great pomp.

He citeith the
Scottish Clergy
to Norham.

The Clergy by
some Delegates
appeal to Rome
to the Pope.

Pope Alexander
the third gi-
veth sentence
for Scotland.

Angelramus e-
lected Bishop
of *Glasgow*.

Angelramus Archdeacon of *Glasgow* (accompanied with *Walter* Prior of *Kelso*, *Solomon* Dean of *Glasgow*, and some others of the Clergy) went and kept the Diet, and in the name of the Church of *Scotland* appealing to the Pope, took journey to *Rome*. Where the business being debated before Pope *Alexander* the third, sentence was given against *Roger* his pretended Legation, and the Church of *Scotland* declared to be exempted from all spirituall Jurisdiction, the Apostolique See only excepted. This exemption *Angelramus*, who in the mean time was promoted to the See of *Glasgow* by the death of Bishop *Herbert*, and consecrated at *Rome*, brought back and presented to the King. The Bull is yet extant, and begins thus:

Alexander P. servus servorum Dei Malcolm Regi &c.

King Malcolm
the fourth his
death.

A few days after the Bishops return King *Malcolm* died at *Fedbrough*, in the 25. year of his age, and 12. of his reign: a sweet and meek Prince, uncourtously used by King *Henry* the second, King of *England*, but more rudely by his own Subjects. This *Henry*, by nature ambitious, and one that could not keep himself within bounds, took many ways to wrong this good King, and make him despised of his own people; yet for that he had sworn to King *David*, *Malcolms* Grandfather, that he should never molest him, nor any of his posterity in the possession of the lands they held in *England*, and could not for shame go against his oath; he stirred up the Bishop of *York* to place a Bishop at *Carlisle*, thinking the King of *Scots* would not endure that wrong. *John* Bishop of *Glasgow*, under whose charge the Countrey of *Cumberland* then was, did exceedingly offend with this, and finding that the King would not break with *Henry* for so little a cause, nor seeing a way to repair himself, abandoned his charge, and went unto the Monastery of *Tours* in *France*, where he abode till he was forced by the Popes authority to return.

A Bishop pla-
ced at *Carlisle*
by the Archbi-
shop of *York*.

Euch. l. 7.

King *Henry* finding this injury dissembled, went afterwards more plainly to work;

work; for having desired *Malcolm* to come to *London* to do homage for the lands he held in *England*, he compelled him to follow him in the Warre he made upon *France*, thinking thereby to alienate the minde of the *French King* from the *Scots*. Again, when he had returned home, inviting him of new to a Parliament kept at *York*, upon a forged quarrell, as if he had crossed *King Henry* his affairs in *France*, he was declared to have lost all his lands in *England*: And not content to have wronged him in this sort, to stir up his own Subjects against him, made the report goe, that *King Malcolm* had voluntarily resigned all those lands. Which did so irritate the Nobles, as presently after his return. putting themselves in Arms, they did besiege the Town of *Bertha*, where the King remained, and had not failed to use violence, but that by the intercession of some wise Prelates matters were composed. The Nobility being grieved to see the King so abused, did urge him to denounce warre, but he loving rather to have matters peaceably agreed, was content to accept *Cumberland* and *Huntington*, and suffer *Northumberland* to goe to *King Henry*. This displeased the Subjects, and diminished much of the regard that was formerly carried to him, which he took greatly to heart, and shortly after died, as was thought, of displeasure.

An. 1165.

Boeth. l. 13.

The good King being thus taken away, his brother *William* succeeded in the year 1165. The first thing he undertook, was the repetition of *Northumberland*; for which Ambassadors were sent to *King Henry*. His answer was, That he should have right done him at his coming to *London*, after he had performed his homage for the Counties he held in *England*. *King William* taking journey thither with *David* his younger brother, found the King at his *Easter* in *Windsore*: where insisting for the restitution of *Northumberland*, he had many good words given him, and promise made, that at the meeting of the Parliament a course should be taken to his content. In this hope he followed *King Henry*, going then in expedition to *France*, and staid there with him some moneths; but when he perceived the King was not shortly to return unto *England*, and that he was fed onely with fair promises, he took his leave and came home. Presently after his return, he sent an Herald to denounce warre, unlesse *Northumberland* were restored. *King Henry* being then engaged in the *French* warres, and not willing to make himself more businesse, was content to quit that part of *Northumberland* which *King William* his great Grandfather had possessed. Yet suddenly forethinking what he had done, he stirred up underhand those that lived in the Borders to make incursions upon the *Scots*. This being complained, and no redresse made, *King William* raised an Army, and went into *England*, and at *Anwick* as he was taking the aire, suspecting no Enemy to be at hand, he was surprised by some *English*, and sent Prisoner to *King Henry* in *France*, who put him in the Castle of *Calice* in *Picardie*, where he was some moneths detained. A great dysaster this was, and how grievous to the whole State, may appear by the Articles condescended upon, for obtaining his liberty, which were:

King William seeketh to have Northumberland restored.

King William surprised at Anwick.
Boeth. l. 13.

1. That for his redemption there should be paid one hundred thousand pounds sterling money, the one half in hand, the other half after a short time; and for assurance thereof, the Counties of *Cumberland*, *Huntington* and *Northumberland* be morgaged to *King Henry*.

2. That the *Scots* should move no warre against *England* for retention of these Counties.

3. And for the more security the Castles of *Roxburgh*, *Berwick*, *Edinburgh* and *Sterling* should be delivered to the King of *England*, or unto such as he should appoint to receive the same.

Hollinshed setteth down other Conditions besides these: as, That the King of *Scots* should acknowledge the King of *England* for his supreme Lord; That the Prelates of *Scotland* and their successors should be subject to the Church of *England*; And that the Lords and Barons of *Scotland* should swear fealty to the King of *England* and his successors: which are meer forgeries, it being certain that the *Scots*, howsoever they loved their King, and for his liberty would not refuse to undergoe very hard conditions, yet would never have renounced their liberties, maintained so long and

Hollinshed His story of Scotland.

An. 1175.

with so much blood, and yeelded themselves in any case to such a slavish subjection. Always the agreement concluded in *Normandy* the 8. of *December* 1175. by *Richard* Bishop of *S. Andrews* and divers Noblemen sent thither to treat in that businesse, was at *August* thereafter confirmed in *York* by both Kings, all the Bishops, Abbots, and Nobility almost of *Scotland* being present.

Euch. l. 16. 7.

In *January* thereafter at a meeting in *Norham* where King *VWilliam* was also in person, the King of *England* dealt earnestly to have the Clergy of *Scotland* accept the Archbishop of *York* for their Metropolitane; but they pretending the absence of many of their number, and the want of the inferiour Clergies consent, deferred to give any answer at that time. The next year the same matter was renewed, and followed earnestly by a Legate sent from the Pope, with Commission to reform the abuses he should finde in the Churches both in *England* and *Scotland*. This Legate called *Hugo*, and styled *Cardinall de sancto Angelo*, having sent his Apparitors with a citation to the Bishops of *Scotland*, for their appearing before him at a certain day in *Northampton*, they went thither with a great number of their Clergy. The Assembly being met, and all ranked in their places, the Cardinall (who had his seat somewhat higher then the rest) made a long speech in commendation of *humility* and *obedience*, shewing what excellent Virtues these were, and how much to be desired of men of *spirituall profession*; whereof when he talked a while, he came in end to perswade the Clergy of *Scotland* to submit themselves to the *Primate of York*: which he said was a thing very convenient for them, and would turn greatly to their ease and commodity; for having no Superiour amongst themselves, nor Metropolitane to decide Controversies that possibly might happen, there could none be fitter then their neighbour the Archbishop of *York*, a Prelate of great respect, and one whose credit in the Court of *Rome* might serve them to good use; therefore besought them to lay aside all grudges and emulations, and dispose themselves to live in all times after, as members of one and the same Church.

Sa: Daniel.

A meeting of
the Scottish
Clergy at
Northampton.

Gilbertus Canonicus his reply
to the Legate.

The Bishops who feared to offend the Legate made no answer, and after a long silence, a young Chanon named *Gilbert* rose up, and spake to this effect: "The Church of *Scotland*, ever since the faith of Christ was embraced in that Kingdom, hath been a free and independent Church, subject to none, but the Bishop of *Rome*, whose authority we refuse not to acknowledge. To admit any other for our Metropolitane, especially the Archbishop of *York*, we neither can nor will; for notwithstanding the present peace, which we wish may long continue, warres may break up betwixt the two Kingdomes; and if it shall fall out so, neither shall he be able to discharge any duty amongst us, nor can we safely and without suspicion resort to him. For the controversies which you my Lord Cardinall say may arise amongst our selves, we have learned and wise Prelates who can determine the same; and if they should be deficient in their duties, we have a good and religious King, who is able to keep all things in frame and order, so as we have no necessity of any stranger to be set over us: And I cannot think that either his Holinesse hath forgotten, or you my Lord that are his Legate, can be ignorant of the late exemption, granted unto *Malcolm* our last King; since the grant whereof, we have done nothing which may make us seem unworthy of that favour. Wherefore in the name of all the Scottish Church we doe humbly entreat the preservation of our ancient liberties, and that we be not brought under subjection to our enemies. These speeches he delivered with an extraordinary grace, and in so passionate a manner, that all the hearers were exceedingly moved, the *English* themselves commending his courage and the affection he shewed to his Countrey. But the Archbishop of *York*, who looked not for such opposition, called the young Chanon to come unto him, and laying his hand upon his head, said, *Ex tua pharetra nunquam venit ista sagitta*, meaning that he was set on to speak by some others of greater note. So the Legate perceiving that the businesse would not work, and that the opposition was like to grow greater, he brake up the Assembly. After which the Prelates returning home, were universally welcomed; but above the rest the Chanon *Gilbert* was in the mouthes of all men, and judged worthy of a good preferment; and

Boetb. lib. 1.

Scot. l. 8. c. 16.

Boetb. l. 13.

soon

soon after was promoted to the Bishoprick of *Cathenes*, and made Chancellor of the Kingdome. An. 1178.

The year following one *Vibianus* a Cardinal (*titulo sancti Stephani in monte Caelio*) came into *Scotland*, in shew to reform abuses, and do some good to the Church, but in effect to extort moneys from Churchmen. For at this time it was grown to be an ordinary trick of the Popes, when they stood in need of moneys, to send forth their Legates unto all Countreys, sometimes under a colour of reforming abuses, somtimes for the recovering of the Holy land, and sometimes upon other pretexts. This Cardinall having stayed a while in *Scotland*, took his journey into *Ireland*, and in his return would needs make a new visit of this Church; for which effect, he convened the Clergy at *Edinburgh* in the moneth of *August*, and established divers Canons; which the Clergy esteeming prejudiciall to their liberties, did incontinent after he was gone revoke and disannull; but what these Canons were, our Writers do not remember.

Scon. l. 8.

18. It was a fatall year this to many of our Churchmen, both Bishops and Abbots; amongst others *Richard* Bishop of *S. Andrews* deceasing, King *William* recommended *Hugo*, one of his Chaplains (whom he much favoured) to the Convent. But they taking another course made choice of the Archdeacon *John Scot*, who was an *English* born. The King displeased therewith, did swear by the Arm of *S. James* (this was his ordinary oath) that so long as he lived *Scot* should never enjoy that place: So he sent a Command unto the *Chanons* to make a new election, appointing *Foceline* Bishop of *Glasgow* their assistant; and thus was *Hugo* his Chaplain elected.

An. 1178.

The Archdeacon of *S. Andrews* elected Bishop.

The King displeased maketh his Chaplain to be choosed of new.

The Archdeacon appealed to *Rome*, and going thither complained of the wrong done to the Church, entreating the Pope for redresse. Hereupon *Alexius* Subdean of the *Romane* See, was dispatched to try and examine the cause. At first the King made difficulty to admit him, but afterwards yeelding, the two elections being tried by the Legate, sentence was given for the first; and *Focelin* Bishop of *Glasgow* with the rest of the Clergy that assisted the second, excommunicated. This done the Legate called an Assembly of the Bishops, Abbots, and whole Clergy at *Halirondhouse*, and made *Matthew* Bishop of *Aberdene* publickly to consecrate the Archdeacon upon *Trinity Sunday* 1178.

The Archdeacon appealeth to *Rome*.

He not the lesse fearing the Kings displeasure left the Realm, and went to *Rome*, where he was honourably entertained by Pope *Lucius* the third, who sent Letters to the King, and admonished him not to usurp upon the Church, and to remit the Bishop who was lawfully elected and consecrated, to enjoy his place with quietnesse. This Letter the Story saith was conceived in milde terms, for the Pope feared to incense the King, lest he should follow the ensample of his Cousin *Henry* King of *England*, that some 8. years before had made away *Thomas. Becket* Bishop of *Canterbury* for his obstinate and wilfull opposition in some matters not unlike: yet the King nothing moved with the Letter, to make his displeasure the better known, did confiscate all the revenues pertaining to the See of *S. Andrews*, and banished those whom he understood to favour the Bishops cause.

His journey thither.

Pope *Lucius* his Letter to the King.

The Pope advertised hereof, resolved to put the Realm under Interdiction. But the Bishop prostrating himself at his feet, besought him not to use any such rigour, saying, *That he would much rather renounce his dignity, then have so many Christian souls for ought that concerned him, defrauded of spirituall benefits.* The Pope highly commending the goodnesse and patience of the Bishop, held him from that time forth in more regard, and at his request forbore the Interdiction. Mean while it happened that *VValter* Bishop of *Dunkeld* departed this life; whereupon the King taking occasion, sent to recall the Bishop with offers of great kindenesse, protesting that if it had not been for the oath he rashly made, he would willingly have contented to his enjoying of the See of *S. Andrews*: But seeing it did touch him in Honour and Conscience (as he esteemed) to be yeelding thereto, he requested the Bishop to accept the Benefice of *Dunkeld*, which was then fallen void, and was in value not much inferiour to the other.

The Pope purposeth to interdict the Realm, is stayed by the entreaty of the Archdeacon.

The Bishop of *Dunkeld* dieth, and the Bishoprick offered by the King to the Archdeacon.

This the Bishop communicated to the Pope, who desired to have the matter quieted,

An. 1188.

The Archbi-
shop accepted
Dunkeld.Bishop Hugo
dieth.

eted, advised him to return, and accept the offer. Thus was the Archdeacon by the Popes consent preferred to *Dunkeld*, having the rents of the Archdeaconry reserved to him during his life, in recompence of his losses. *Hugo* this way coming to be possessed, *Andrews* took journey to *Rome* that he might be reconciled to the Pope, and being absolved for his intrusion, in his return died some six miles from the City of *Rome*, the 6. of *August*, 1188. ten years and ten moneths after his election.

An. 1188.

The Kings of
England and
France prepare
to recover the
Holy land.

At this time newes was brought from the *East*, of the prevailing of *Sultan Saladine* of *Egypt* against the Christians in the *Holy land*, which moved *Philip* the second of *France*, and *Henry* King of *England*, to undertake the recovery of the *Holy land*, and to employ all their credit and means, as well in their own countreys, as with other Christian Princes their neighbours, for the furtherance of that enterprise. To befray the charges of the voyage, both Kings by consent of their Clergy and Nobles ordained, that all their subjects, both Clergy and Laity, (such excepted as went in the voyage) should pay the tenth of all their moveables either in gold or silver. King *Henry* having laid this imposition upon his subjects at home, sent *Hugh Pufar* then Bishop of *Duresme* with other Commissioners to collect the tenths of the Clergy and Laity in this kingdom: which the King and States, interpreting to be an encroachment upon their liberties would not permit, yet for advancing that holy action, they did offer a supply of 5000. Marks sterling, which King *Henry* refused but the enterprise upon a quarel that arose betwixt the Kings of *France* and *England*, was at that time dashed, and so the collection was no further urged.

Sa. Daniel.

Euchan. l. 7.

Sa. Daniel.

Lesh. l. 6.

King of Scots
his kindnesse
to the King of
England.

King *Henry* a little after this, ended his life, and *Richard* his son who succeeded, resolving to pursue the action of the *holy Warre*, to assure the King of *Scotland*, who he feared would take some advantage in his absence, restored all the Castles which were delivered to King *Henry* his Father, and released him and his posterity of all Covenants made and confirmed by Charter unto King *Henry*, as extorted from him being then his prisoner, reserving only such rights to himself, as had been and were to be performed by *Malcolme* his brother to his Ancestors Kings of *England*. King *William* to requite his kindnesse, gave unto *Richard* ten thousand Marks sterling, and caused his brother *David* (to whom he resigned the Earldom of *Huntington*) go in company with him. There went under his charge 500. Gentlemen, who were all in their return cast away by a tempest at sea, only the Earl himself having his ship driven upon the coast of *Egypt*, was taken prisoner, and led to *Alexandria*; where being redeemed by some *Venetians*, he was brought to *Constantinople*, and freed by an *English* Merchant in the City, that had known him in former times. From thence he returned safe unto his countrey, the fourth year after his setting forth, to the great joy and contentment of the King his brother, who took him to be lost. The part where he arrived being, as *Boethius* writeth, before that time called *Alectum*, had the name changed, and upon that occasion was called *Dei donum*. But the opinion of *Buchannan* is more probable, that the Town now called *Dundy*, is a compound word of *Down* and *Tay*. As ever this was, the Town there situated received many priviledges of King *William* at that time for his brothers happy arrival, which to this day they enjoy. Likewise in memory thereof, was the Abbey of *Lundors* founded for the *Benedictine* Monks, and divers lands gifted thereto by the King and the Earl his brother.

Boeth. l. 13.

The Abbey of
Londors found-
ed.King *William*
goeth to Eng-
land to con-
gratulate King
Richard his re-
turn.The Bishop of
Cathnes cruelly
used by the
Earl of the
countrey.The King pu-
nished it se-
verely.

The King of *England* after many distresses being returned home, King *William* to congratulate his safety went into *England*, where he contracted a great sickness; the rumour whereof being dispersed, and his death much suspected, gave occasion of divers insolencies at home: amongst others *Herald* Earl of *Orkney* and *Cathnes*, upon a malice conceived against the Bishop of that countrey, (who as he alledged, had impeded the grant of some thing he demanded of the King) took him prisoner, put out his eyes, and cut forth his tongue. This inhumanity the King at his return punished most severely; for the Earl being apprehended and brought to his trial, had his eyes in like sort pulled out, and was thereafter publicly strangled by the hands of the hangman; all his male children being gelded, to extinguish his succession. His kinsmen and others accounted accessors to the fact, for not rescuing the

the Bishop, were fined in great summes of money. This exemplary justice reported to Pope *Innocent* the third, he sent unto the King by his Legate *Foannes Cardinalis de monte Celio*, a sword richly set with precious stones, a purple hat in form of a diadem, and a large Bull of priviledges, whereby the Church of *Scotland* was exempted from all Ecclesiastical censures, the Pope himself and his Legate à latere only excepted. It was also declared, "That it should not be lawful to any to excommunicate the King and his successors, or yet to interdict the kingdom, but the Pope or his Legate: and that no stranger should exercise any legation within the Realm, except a Cardinal, or such a one as the Conclave did appoint. This Bull is yet extant, and beginneth thus. *Innocentius Episcopus servus servorum Dei, charissimo filio Gulielmo illustri Scotorum Regi ejusque successoribus.*

An. 1188.

Buchan. l. 7.

Pope *Innocent* the third his thanks to the King for the justice of execution.

This Cardinal before his departing forth of the Realm, kept a Convocation of the Clergy at *Perth*, in which all the Priests were deposed, who were found to have taken Orders upon Sunday; The Abbot of *Dunfermlin* called *Robert* was removed from his place, (the cause whereof is not mentioned) and one *Patrick* Superiour of *Duresme*, appointed Abbot in his stead. In this convention also it was decreed, "That every Saturday from twelve of the clock should be kept as holy day, and that all people at the sound of the Bell should address themselves to hear service, and abstain from all handy work untill Munday morning. After this meeting he took journey into *Ireland*, taking with him *Radolph* Abbot of *Melrosse*, a man of good respect, whom he preferred to the Bishoprick of *Down*, which at his coming thither happened to fall void.

A Convocation of the Clergy at *Perth*.

Boeth l. 13.

Lest. l. 8.

Saturday from 12. of the clock, to be kept as holy.

Bishop *Hugo* dying, *Roger* son to the Earl of *Leicester* succeeded; he had been Chancellour to the King, and at his election to the Bishoprick, resigned the office to one of the King his Chaplaines. For in those dayes the office of a Chancellor was not in that reputation, to which afterwards it grew; in some old Records I find at one time two officers in that kinde, the one called *Cancellarius Regis*, the other *Cancellarius regni*; but which of the two was in greatest dignity I know not, nor in what their charge did differ; only my conjecture is, that he who is now the writer of the Great Seal, and is called *The director to the Chancellary*, was then styled *Cancellarius Regis*.

An. 1189.

Bishop *Roger* succeeded to *Hugo* after his death.

But remitting this to others of greater skill, Ten years this *Roger* stood elect, and was not consecrated before the year of God 1198. at which time *Richard* Bishop of *Murray* performed the ceremony; the reason of the delay is not mentioned by writers: four years only he lived after his consecration, and died at *Combuskenneth* the ninth of *July*, 1202. his corps with great solemnity convoyed to *Saint Andrews*, was interred in the old Church of *Saint Rowle*.

Roger consecrated in the year 1198. dieth in *July*, 1202.

20. *William Malvoisin* Bishop of *Glasgow*, a Frenchman born, was after the death of *Roger*, by the Kings recommendation, translated to *S. Andrews*, a man of singular wisdom and courage; he lived a long time (for he sate Bishop after his translation 35. years) and governed the Church most happily. The rents alienated by his predecessors, or lost by their negligence, he recovered to his See, advanced the fabrick of the Church (which was then a building) more then any that went before him, and suffered no man, of what quality soever he was, to usurp upon the Church or possessions of it.

William Malvoisin translated from *Glasgow* to *S. Andrews*.

Scot. l. 8.

Some years after his translation, King *William* died at *Striveling*, to the great regret of all men, especially those of the Clergy, to whom he had been very beneficial; for besides the Abbey of *Aberbrothock*, which he founded to the memory of *Thomas Becket*, then generally held to be a Martyr and Saint; he gave divers lands to the See of *Argyle*, which had been in his time erected; and to the Monasteries of *Nembottle*, *Halynudhouse*, and *Dunfermlin*, many rich gifts; as likewise for the *Trinity Monks* of *Aberdene*, an Order lately invented, and then confirmed by *Innocentius* the third, he made a competent provision. Never were the funerals of any of our Kings performed with greater solemnity. All the Prelates and Nobles of the kingdom attending the corps from *Striveling* to *Aberbrothock*, where he had appointed his body to be buried. There they continued 14. dayes, spending that time in the devotions accustomed; and before their parting by a common consent

Past l. 6. c. 27. King *William* dieth, his pious devotion.

Boeth l. 13.

Buchan. l. 7.

An. 1214.

King *Alexander* the second Crowned at *Scone*.

Booth l. 7.
Buchan. l. 13.

The Kingdom interdicted by the Popes Legate.
Scon. l. c. 33.

The privilege of the white monks suspended.

Peace concluded betwixt the King and *Henry* the third of *England*.

The Kingdom of *Scotland* absolved from the interdict.

Booth l. 13.

Buchan. l. 7.

The course taken with the inferiour Churchmen.

Scon. l. 9. c. 32.

The Scots Clergy complain of the Legates extortions.

ordained, that for a year thereafter no publick playes, nor feasts should be made in any part of the kingdom; such a sorrow they shewed, notwithstanding he had reigned long, and died being of a great age, for it was the 74. of his age, and the 49. of his reign when he departed this life.

The funerals ended, his son *Alexander* the second, accompanied with all the Prelates and Nobles of the kingdome, went to *Scone*, and received the Crown by the hands of the Bishop of *Saint Andrews*. This King did no wayes degenerate from the vertues of his predecessors, and was a great protector of the Church against the rapines and extortions of *Rome*. *Guallo*, others call him *Waldo*, a Cardinal sent Legate into *England* by Pope *Innocentius* the third to assist King *John*, who was then become his vassal, did put the kingdom of *Scotland* under interdict, because the King had supplied the *French* in his invasion of *England*, and as he pretended, robbed some Churches and religious places in his return from that war. The Churchmen ceasing by this occasion from their ordinary services, no religious exercise was performed by any through the whole Realm, but the white Monks, whose privilege did warrant them to celebrate at such times; which the Legate hearing, did suspend, inhibiting them by one *Weshbeck* Archdeacon of *York* to do any service under pain of the highest spiritual censures, till the rest of the Clergy were absolved.

But King *John* dying, and *Henry* his son Crowned, by mediation of certain Prelates peace was made betwixt King *Alexander* and him upon the conditions following: That *Joane* the sister of *Henry* should be given in marriage to *Alexander* King of *Scots*, and *Magaret* his sister to *Hubert de Burgh* Justiciar of *England*, (the man who then ruled all affaires) That *Berwick* should be rendred to the *Scots*, and *Carlisle* to the *English*; The King of *Scots* absolved from the Legates censures, and his kingdome released from the Interdict. For performing the last Article, the Bishops of *York* and *Salisbury*, (by whose meanes especially the peace was concluded) had Commission given them by the Legate, which presently they discharged. But *Guallo* being displeased that the Interdict had passed so easily (for he was a man extremely avaritious, and one who made his profit of every businesse) since he could not retreat what was done, took him to the Clergy, saying, That the absolution granted did not comprehend them; and thereupon did summon them to appear before him at *Anwick*. The Diet was kept, and thither went all the Bishops, Abbots, Priors, and beneficed men in great numbers; Absolution was offered, but not without the payment of large summes, which were at first denied but after some menacings, that he should make them answer it at *Rome*, the most out of fear did transact. A few Prelates only standing out, went afterwards to *Rome* to justify their Cause.

With the inferiour Churchmen he took a course, in shew beneficial, and for their ease; that some one or two should go with Commission and absolve them in their own Provinces at home; but it turned to their great molestation; for the Prior of *Duresme* and *Westbeck* the Archdeacon, who were employed in that businesse, beginning at *Berwick*, went through all the Realm and making the Priests and Canons convene at the principal City of the bounds, caused them to take oath, that they should confesse themselves, and answer truly unto every particular enquired of them; which done, and their several depositions taken, what by terrifying some with deprivation from their places for faults confessed by themselves, what by wearying others with the protractions they made from day to day, great summes were extorted from them, and the poor Priests forced, notwithstanding all this oppression, to go barefooted to the door of the principal Church, where they were convened, and ask their absolution in a most base and abject form.

The Clergy offended herewith, sent *Walter* Bishop of *Glasgow*, *Brice* Bishop of *Murray*, and *Adam* Bishop of *Cathnes* to complain at *Rome*; where finding Pope *Innocent* dead, and *Honorius* the third preferred in his room, they exhibited in name of the Church of *Scotland* a grievous complaint against *Guallo*, charging him to have been the especial cause of these miserable combustions, which both the kingdomes had endured, to have abused his legation unto his private commodity, and to have extorted

extorted monies from Churchmen and others, under colour of absolution. *Guallo* brought to his answer, because he did not clear himself sufficiently in divers points, was declared not to have carried himself as became his Holiness Legate, and fined in a pecuniary mulct: so as he escaped by dividing the spoil (which he had made in those parts) betwixt his Master and himself. The Bishops who preferred the complaint, were upon confession of their fault absolved; one of the Cardinals who stood by, scornfully commending their humility, and saying, *Quod piarum mentium esset crimen agnoscere, ubi nec culpa reperitur*, That it was the part of devout men to acknowledge an offence, even where no fault was committed: and for some recompence of their pains, a confirmation was given them of the old privileges granted to the Church of *Scotland* by four Popes. This privilege is dated at *Rome* in the year of Christ 1218. and in the second of Pope *Honorius* his Pontificat.

An. 1219.

Buchan. l. 7.

Scot. ibidem.

Yet the next year *Egidius* a Spaniard by nation, and by place a Cardinal, was sent to gather contribution for the *holy warre*, wherein both the Clergy and Laity shewed themselves so forward, as in a short space great summes were collected: all which he spent most prodigally in his return to *Rome*, giving out for an excuse that he was robbed by certain Brigants in the way. And no sooner was this Cardinal gone, then another followed, having the like Commission; but the King considering how prejudicial these contributions might prove to the kingdom, and that through the easie yieldings of the State, the See of *Rome* was grown impudent in their exactions, would not permit him to enter into the Realm, till he had propounded the matter in Council: at which time one of the Bishops (his name is not expressed in the story) made a long speech against the rapine of these Legates; where in recounting the insolent oppressions of *Guallo*, and the riotous profusion of *Egidius*, he dissuaded by many good reasons his admission, or the receiving of any other who should afterwards happen to come about the like business. This speech seconded with the applause of all that were present, an Act was made prohibiting the reception of the Legate, or any others without licence from the King.

The King offended with the contributions of *Rome*.The Popes Legate discharged from entering into *Scotland*.

The Bishop of *S. Andrewes* being all this while in *France*, did now return bringing with him some of the order of *S. Dominick*, some *Franciscans*, *Jacobins*, and of the Monks called *Vallis umbrosa*. These Orders not being known before in this Church, by their crafty insinuations with people, and the profession they made in leading an austere life, did supplant the credit of the Priests, drawing to themselves all the force and credit of the spiritual Ministry, and were upheld by the Popes, whose designs they studied especially to advance. The King, who looked no further then the devout profession they made, gave them all a kinde reception, and to the Monks *Vallis umbrosa*, he erected a Monastery in *Pluscardy* within the countrey of *Murray*. In the countrey of *Rosse*, the Lord *Bisset* founded *Beawly* for Monks of the same order; And one *Maccolloch* a man of great wealth, did found the Priory of *Archatton* in *Lorne*. About the same time did *Ada* or *Adhama* Grandmother to the King, found the Abbey of *Haddington* for consecrated Virgins. The like was erected at *Northberwick* by *Malcolm* Earle of *Fife*, who also founded the Abbey of *Culrosse* for the *Cistercian* Monks. *Dornagilla* the daughter of *Allan* Lord of *Galloway* erected for the same order a Monastery at *New Abbey*; and by a rare example, *Gilbert* Earl of *Strathern*, having divided his inheritance in three parts, gave one third thereof to the See of *Dumblane*, and another to the Abbey of *Inchaffray*, reserving to himself and his heires a third onely of the whole. Shortly after in the year 1327. died *William Malvoisin* at *Inchmurtach*, and as he himself had directed, was buried in the new Church of *S. Andrewes*.

Orders of *S. Dominick* and *Francis*, brought into *Scotland*.

Scot. l. 10. c. 8. Foundation of religious houses.

Gilbert Earl of *Strathern* his donations to the Church. Scot. l. 8. c. 73.

21. *Galfrid* Bishop of *Dunkeld*, being earnestly desired both of the Clergy and Laity, the King would not permit his translation: so *David Benham* Chamberlain to the King was elected, and on *S. Vincents* day in the year 1238. consecrated by *William* Bishop of *Glasgow*, *Gilbert* Bishop of *Cathnes*, and *Clement* Bishop of *Dumblane*. This Bishop kept a severe hand over the Clergy, especially the Monks and others that lived in religious Orders; and calling an assembly by the Kings consent at *Perth* in the 1242. (where the King himself with divers of the Nobility did assist) made

An. 1238.

David the Kings Chamberlain elected Bishop upon *Malvoisin* his death.

An. 1238. made many good Constitutions as well for reformation of abuses, as for securing of Clergy men in their possessions and rights. In his time fell out great troubles betwixt the Emperour *Frederick* the second, and Pope *Gregory* the ninth; for which a generall Councell was called by the said *Gregory* at *Rome*, and thither were summoned all the Bishops of Christendome. The pretext was, the relief of the *Holy land*, which at that time was in great distresse; but *Frederick* apprehending the intention to be against himself, resolved to hinder the meeting of the Councell, and having belayed the ways, made the Bishops of *S. Andrews* and *Glasgow* prisoners, as they travelled through *Germany*. Upon their promise to return home, they were afterwards set at liberty: not the lesse they sent their procurations thither by some religious persons, who took another way; but the Councell held not, because of the Popes death that intervened.

King *Alexander* the second buried at *Melrose*.

Some few years after this King *Alexander* deceased at *Carnie* in the West Isles; and, as he had appointed, was interred in the Abbey Church of *Melrose*, with an Inscription according to the rudeness of the time, yet such as shewed how greatly he was beloved of his Subjects.

His Epitaph.

*Ecclesie clypeus, pax plebis, dux miserorum,
Rex rectus, rigidus, sapiens, consultus, honestus.
Rex pius, Rex fortis, Rex optimus, Rex opulentus.
Nominis istius ipse secundus erat.
Annis ter denis & quinis Rex fuit ipse.
Insula quæ Carneri dicitur hunc rapuit.
Spiritus alta petit Celestibus associatus,
Sed Melrossensis ossa sepulta tenet.*

King *Alexander* the third crowned.

Sa: *Daniel* in the life of *Henry* the third.

Scot. l. 10. c. 8.

Abell Archdeacon of *S. Andrews* elected Bishop after *David*.

His son *Alexander* the third by *Maria* the daughter of Sir *Ingram de Consey* (for his first wife died without children) succeeded, and was crowned of eight years old; at the age of ten years he was married to *Margaret* the daughter of *Henry* the third of *England*. The marriage being solemnized at *York*, and the Bishop of *Saint Andrews* sent thither with others of the Nobility to see all things duly performed, fell there in a Fever, and departed this life on the first of *May* 1251. his Corps brought from thence was buried in the Abbey Church of *Kelsoe*, some thirteen years and three moneths after his Consecration.

22. The Prior and Chanons convening to elect a new Bishop, did all give their voices to *Robert Suteville* Dean of *Dunkeld*, a man of great virtue and learning; but this election took no effect; *Abell* Archdean of *S. Andrews* by the favour of some that ruled the Court, having procured an inhibition to the Bishop to proceed in the Consecration, with a Mandate to the Chanons to make a new election. The Chapter refusing made their appeal to *Rome*, and *Abell* posting thither, by the bribes he bestowed in that Court, got himself preferred, and was Consecrated by Pope *Innocentius* the fourth.

Abell his rigour exercised upon the Chanons.

At his return, to be revenged of the Prior and Chanons, he behaved himself well insolently, calling them in question for every light occasion, and censuring them with great rigour; whereupon he became extremely hated. They write of him that in a vain-glorious humour, as he was walking in his Church one day, he did with a little Chalk draw this line upon the gate of the Church;

Hac mihi sunt tria, Lex, Canon, Philosophia;

Bragging of his knowledge and skill in those professions: and that going to Church the next day, he found another line drawn beneath the former, which said,

Te levant absque tria, fraus, favor, vanasophia.

This did so gall him as taking bed he died within a few days, having sat Bishop ten moneths and two days only.

23. After *Abels* death *Gamelinus* was elected to govern the See, and by a warrant from *Rome* was consecrated on *S. Stephens* day, in the year 1255. Two years he stood elect, his consecration being stayed by the Rulers of the Court, who had sent also to *Rome* for calling his election. A time this was (such as usually falleth out in the minority of Princes) full of choppings and changes. Under the last King the *Cummings* had ruled all publick business, for they were of great power, the Earls of *Monteth*, *Bughan*, *Athol* and *Marre* being all of that name, besides thirty two Barons and Knights. *Robert* Abbot of *Dunfermlin* Chancellor of the Kingdome for the time, enclining to their course, had legitimated a base sister of the Kings who was married to one *Allan Doorward*, and for the same was put from his place, *Gamelinus* being preferred thereto; but he enjoyed the same a short space, for upon some discontents he was likewise thrust out, and *Richard* Bishop of *Dunkeld* made Chancellor. This made the Court to oppose *Gamelinus* his election; not the lesse he prevailed by his gifts at *Rome*, and procured a warrant to *William* Bishop of *Glasgow* to proceed to his Consecration.

An. 1255.

Gamelinus elected Bishop upon *Abels* death.

Pasl. l. 6.

Boeth. l. 13.

Buch. l. 7.

The Court highly displeased at this, there fell out another occasion which did greatly incense them against him; a Knight called *Sir John Dinmure* for some oppressions committed upon the Prior of *S. Andrews* was excommunicated; he complaining to the King obtained by *Moyen* a command to *Gamelinus* to absolve him; who simply refused, unless satisfaction was made for the offence; and because no redresse was offered, a new intimation was made of his cursing through the whole Province. This the King and the Court took so ill, as forthwith a messenger was sent to charge the Bishop to depart forth of the Realm; which as he was preparing to obey, the news of a Legate sent from *Rome* into *England*, made the Court take a more moderate course, fearing the consequence of so rigorous a proceeding.

The Court displeased with the Bishop.

A Legate sent from *Rome*.

This Legate called *Ottobon* being employed for pacifying the troubles raised betwixt the King of *England* and his Barons, did summon the Clergy of *Scotland* to appear before him by their Commissioners, and to bring with them a Collection of four Marks for every Parish within the Realm, and six Marks for every Cathedral Church. The Clergy meaning themselves to the King, he did prohibit any such Contribution, and sent his Chancellour to the Bishop of *Dunkeld*, and *Robert* Bishop of *Dumblane*, partly to declare the reasons of his prohibition, and partly to observe the proceedings of the Legate with these of *England*. At their return some Acts were shewed, which the Legate had set down to be observed by the Clergy; all which they rejected, saying, *That they would acknowledge no Statutes, but such as proceeded either from the Pope, or from a Generall Councell.*

Scon. l. 2. c. 24.

Boeth. l. 13.

Ottobon was not well gone, when another Legate named *Rustaneus* was sent to demand a tenth of all the Church rents within the Kingdome, for advancing the journey of King *Henries* son, who had undertaken the holy Warre at the solicitation of *Ottobon*: but this seeming to crosse the liberties granted by former Popes unto the Church, and it being notorious, that the Pope was to employ the moneys to other ends, (for he was then warring against *Manfred* King of *Naples* and *Sicily*) therefore the same was denied, and *Rustane* prohibited to enter into the Realm. The King not the lesse in token of his affection sent to the Pope 100. Marks sterling; and for the furtherance of the holy Warre did levy 1000. men, which he sent to *Lewes* the French King, who had determined to adventure himself of new against the Infidels, under the charge of the Earls of *Atholl* and *Carrick*. All these dyed in that Warre, partly of the plague, as did *Lewes* himself, and partly by the sword of the Enemy.

Buch. l. 7.

Boeth. l. 13.

In this Bishops time the *Carmelite* Friers came into *Scotland*, and had a dwelling assigned them at *Perth*, by *Richard* Bishop of *Dunkeld*. The *Crosse-Church* at *Peblis* was at that same time built, and endowed by the King with large Revenews: The reason why this Church was erected, was a *Crosse*, as they write, found in that place enclosed in a little Shrine, on which the name of *Nicolaus* a Bishop was written. The Church was dedicated with many pompous Ceremonies, divers Prelates being present, amongst whom was *Gamelinus*, who at his return home was taken with a Palsie, and died in *Inchmurtach*, having sate Bishop 16. years: his

The *Carmelite* Friers received in *Scotland*.

Crosse-Church at *Peblis* erected.

Boeth. l. 13.

Scon. l. 16.

Corps

An. 1271.

William W. Sh. elect
Bishop upon Gamelinus
his death.

Scon. l. 10. c. 30.
Past. l. 6.

Bishops attending
at Rome for
Consecration.

Corps was laid in the new Church of S. Andrews nigh to the high Altar.

24. William Wishart elect of Glasgow was upon the death of Gamelinus preferred to S. Andrews. Pope Urban the fourth had not long before ordained, *That every Bishop and Abbot elect should travell to Rome for Consecration*; but the Papacy then vacant by reason of a Schism, that continued two years and nine moneths after the death of Clement the fourth, he was unwilling to goe thither; four other Prelates being kept there depending at the same time: William elect of Brichen, Matthew elect of Rosse, Nicoll elect of Cathnes, and Hugh Benham elect of Aberdene.

The elect of Brichen died at Rome, Aberdene and Rosse were consecrated by Gregory the tenth upon the ending of the schisme at Viturbium, Nicoll was rejected, and the Chapter of Cathnes appointed to make a new election. The Agents that Wishart sent for licence to be consecrated, were detained a long time, and had returned without effectuating their errand, if Edward the first of England, who coming from the Holy land was then at Rome, had not by his intercession prevailed with the Pope, and obtained licence for the consecration, which was performed at Scone in the year 1274. in the presence of the King and divers of his Nobles. At the same time, William Fraser Dean of Glasgow, was preferred to be Chancellour.

A Council at
Lyons.

Scon. l. 10. c. 34.

The Pope shortly after this having convocated a Councell at Lyons, caused cite all the Prelates thereto; to this effect a meeting of the Clergy was kept at Perth, where it was concluded, that the Bishops (Dunkeld and Murray onely excepted) should addresse themselves to the journey, and be at Lyons before the first of May. Hopes were given of great reformation to be made in that Council, especially of the Orders of Mendicants, who were mightily increased and grown to the highest of depravation. The Council was frequent, there being present (as my Authour saith) two Patriarchs, fifteen Cardinals, five hundred Bishops, and a thousand other mitred Prelates, besides the King of France, and the Emperour of Grece, and many other Princes.

A supply for
the holy warre.

The first proposition was for the *holy warre*, and concerning it the Council decreed, *That a tenth of all the Benefices in Christendome (the priviledged Churches not excepted) should be paid for six yeares; That all Penitentiaries and Confessors should urge offenders to assist that holy businesse with their wealth and riches; and that every Christian, without exception of sex or quality, should pay a yearly penny during that space, under pain of excommunication.*

The Acts of
the Council.

For remedying abuses in the Church, the Council ordained, 1. *That no procurations should be paid to Bishops or Archdeacons, unlesse they did visit the Churches in their own persons.* 2. *That no Churchman should possesse more Benefices then one, and should make his residence at the Church he retained.* 3. *That without the Popes licence no Clergy should answer the impositions, which might happen to be laid upon them by Princes or States.* 4. *That the Mendicants should be reduced to four orders, the Minorites, the Predicants, Carmelites, and Heremites of S. Augustine, who should continue in their present state, untill the Pope should otherwise think good.* And 5. *a gene-prohibition was made to advise or admit any new orders, besides those which the Council had allowed.*

All the Acts
overturned by
dispensations.

Scon. l. 10. c. 35.

Some other Acts of lesse moment were passed, whereof the extract under the hands of the publick notaries of the Council was sent to this Church; but all these statutes turned in a short time to smoke: pluralities being of new dispensed with, with the clause of *Non obstante*, which then first came in use. The orders of the Friars and Monks restored one by one, as first the Cistercian Monks, who redeemed their order by the payment of 500000. Marks; then the Bernardines with the summe of 600000. Crownes: the other Orders made in little sort their Compositions. Whereby it appeared, that the statutes there enacted were only devised to raise summes of money, and not out of any purpose those Fathers had to redresse abuses. The same year was one Bagimund a Legate directed hither, who calling before him all the Beneficed persons within the kingdom, caused them upon their oath give up the worth and value of their Benefices; according to which they were taxed. The table (commonly called *Bagiments rolls*) served for the present collection, and was a rule in after times for the prizes taken of those, that came to sue for Benefices in the Court of Rome.

Wishart

Wishart not long after his return from this Councel, being employed by the King and State in a Commission of the Borders: sickned at *Marbotle* in *Teriordale*, and there died. He is commended to have been a man careful in his charge, and a great lover of peace, then which there is no vertue more required in a Churchman; he continued Bishop 5. years and 8. months only, his corps was honourably conveyed from *Marbotle*, and interred in his own Church nigh to the high Altar in the year 1279.

An. 1279.

Bishop Wishart
dieth.
Scot. l. 10. c. 31.

An. 1279.

There lived in the kingdome at this time *Michael Scot* and *Thomas Lermouth* men greatly admired, the first for his rarest skill in the secrets of nature, the other for his predictions, and foretelling of things to come. *Picus Mirandula*, and *Cornelius Agrippa* do make honourable mention of *Michael Scot* in their writings, and account him to have been a subtile Philosopher, and most expert in the Mathematick sciences. The prophecies yet extant in the *Scottish Rymes* of the other, whereupon he was commonly called *Thomas the Rymer*, may justly be admired, having foretold so many ages before the union of the kingdomes of *England* and *Scotland*, in the ninth degree of the *Bruces* blood, with the succession of *Bruce* himselfe to the Crown being yet a childe, and other divers particulars, which the event hath ratified and made good. *Boeth* in his story relateth his prediction of King *Alexanders* death, and that he did foretell the same to the Earl of *March* the day before it fell out; saying, *That before the next day at noon such a tempest should blow, as Scotland had not felt many years before.* The next morning, the day being clear, and no change appearing in the aire, the Nobleman did challenge *Thomas* of his saying, calling him an Impostor: he replied, *that noon was not yet passed.* About which time, a Post came to advertise the Earl of the King his sudden death. Then said *Thomas*, *This is the tempest I foretold, and so it shall prove to Scotland.* Whence, or how he had this knowlege can hardly be affirmed, but sure it is that he did divine and answer truly of many things to come.

Michael Scot
and *Tho. Lermouth.*
Buchan. l. 13.
Leff. l. 6.

Boeth. l. 13.

25. *William Frazer* Chancellour of the kingdom, was after *Wishart* elected Bishop, and going to *Rome* was consecrated by Pope *Nicolaus* the third, in the year 1280. The office of Chancery upon his resignation was given by the King to Mr. *John Pebles* Archdeacon of *S. Andrewes*. At his return from *Rome* a pestilential feaver (never before known in this kingdome) brake up to the destruction of an infinite number of people. This visitation was scarce ceased, when all the Kings children were taken away one after another; first *David* his yongest son died, then *Alexander* the Prince, who had married a daughter of the Earl of *Flanders*, after him *Margaret* Queen of *Norway*, who left behinde her one onely daughter; and last the King himself, who had taken to wife (after the death of his Queen) *Islet* a daughter to the Count of *Dreux* in hope to restore his issue, was most unfortunately killed by the fall of his horse, a little space from the town of *Kingorne*.

William Frazer
elected Bishop
after *Wishart*.

Buchan. l. 7.

The death of
of King *Alexander*
the third
and his children.

So many deaths falling out together in the Royal family, did presage great calamities to ensue. The onely hope that remained, was in the *Norwegian* maid, for whom Sir *David Iremis*, and Sir *Michael Scot*, two Knights of *Fife*, were directed by the Estates. The administration of affaires was in the mean time committed to *William Frazer* Bishop of *S. Andrewes*, *Duncan* Earl of *Fife*, and *John Coming* Earl of *Bughan*, for the countries on the North side of *Forth*, and to *Robert* Bishop of *Glasgow*, *John* Lord *Comin*, and *John* Lord *Stewart* for the South parts; but it was not long before that these Gentlemen that were sent to *Norway* returned, bringing word that the maid of *Norway* was likewise departed this life. At which newes it cannot be told whether the fears or sorrowes of the subjects were greater: for as their sorrow for the losse of so worthy a King was great, so their fear was no lesse, because of the uncertainty of the succession: for so many Competitors (six they were in number) claiming the inheritance of the Crown, and all of them men of power and friendship, they could not but divide the Realme, and so beget a civil warre; yet they who were trusted during the interreigne, did by their mediation work them to a compromise, and to remit the decision of the controversie to King *Edward* the first of *England*, a Prince of long experience, and much respected in that time. To this purpose the Bishop of *Brichen*, with the Abbot of *Fedbrugh*, and

Two Knights
of *Fife* directed
to the maid
of *Norway*,
whom they
found dead.

Boeth l. 14.

Buchan. l. 8.

Competitors
for the Crown.

Galfred

An. 1279.

Scot. l. i. c. 2.

King Edward
his speech at
the meeting in
Norham.

Galfred Mowbray a Gentleman were sent to King *Edward*, who finding him at *Xantoign* in *France*, did expone to him the inconveniences that were feared to fall out in the kingdome, and the course they had taken to prevent the same, intreating his help for quieting the State.

King *Edward* glad to have an hand in the making of a King in *Scotland*, dimitted them with many loving words, assigning a Diet to the Competitors at *Norham* upon *Tweed*, which he promised to keep; The day come, and the Competitors all present, with the Prelates and other Nobles, the King by a long and premeditated speech, declared, "That albeit he might justly claim the superiority of the kingdome of *Scotland*, as belonging to him by right, yet as a friend, and arbiter elected by themselves, he would labour to compose the present controversie in the best sort he could; for the right, said he, howsoever there be divers pretenders, belongeth to one onely; and for my self, I determine to wrong no man, but to do that which is just, assuring my self, you will all acquiesce and take him for King, who shall be pronounced so to be.

Robert Bishop
of Glasgow his
reply.

Scot. l. i. c. 10.

This said, *Robert* Bishop of *Glasgow* arose, and gave the King most hearty thanks in name of the rest, for the good affection he bare to their countrey, and the paines he had taken to come, and remove their debates; shewing that out of a perswasion they all had of his wisdom, and equity, they were well pleased to submit to him as sole Arbiter, the judgement and decision of that weighty affaire. But where it had pleased him to speak of a right of superiority over the kingdome; it was sufficiently known that *Scotland* from the first foundation of the State, had been a free and independent kingdome, and not subject to any other power whatsoever. That their ancestors had valiantly defended themselves and their liberties against the Romanes, Picts, Britains, Danes, Norihes, and all others who sought to usurp upon them; and howbeit, said he, the present occasion hath bred some distraction of mindes, all true hearted Scotch men will stand for the liberty of their countrey to the death: for they esteem their liberty more precious then their lives, and in that quarrel will neither separate nor divide; wherefore as he had professed in way of friendship, and as an Arbiter elected by themselves to cognosce and decide the present controversie, they were all in most humble manner to intreat him, that he would proceed to determine the question, which they and their posterities should remember with their best affections and services. King *Edward*, although he was not well pleased with the Bishops free speech, made no speech thereof at the time, but continuing his purpose, desired the competitors to be called. They all being severally heard, the right was found to lie chiefly betwixt *John Baliol* and *Robert Bruce*, and the rest ordained to cease from their claime. Of *Baliol* and *Bruce* an oath was taken, that they should abide by the sentence which King *Edward* should pronounce. The like oath was taken by the Prelates, Nobles, and other Commissioners of the State, who swear all to accept him for their King, that should be tried to have the best right; and for the greater assurance, all their Seales were appended to the Compromise. Then *Edward* proceeding, made twelve of either kingdome, men learned in the Law, to be elected for examination of the right, declaring that he would take the opinions also of the best Civilians in the Universities of *France*. In this sort was the businesse carried in publick, but privately, and amongst some few, the consultation was how to bring *Scotland* under his subjection.

The right of
the Crown
found to lie
betwixt *Baliol*
and *Bruce*.
Buchan, l. 8.

A meeting at
Berwick for
determining
the right.

Sa. *Daniel*.*Boeth*, l. 14.

Bruce refuseth
the offer, which
Baliol embraceth.

Five years and some more were spent before the controversie was brought to an end, at last every one longing to have it concluded, the King returned to *Berwick*, and calling the 24. who had been named at the first meeting; he did enclose them within the Church, commanding them to debate the matter, and permitting none to have access unto them, he himself went in now and then to feel their mindes, and perceiving the most part inclining to *Bruce* his right, he dealt first with him, promising to invest him in the kingdom, so as he would hold the same of the Crown of *England*. *Bruce* answered that he was not so desirous of rule, as he would therefore prejudice the liberties of the countrey. The like offer he made to *Baliol*, who being more greedy of a kingdome, then careful of his honour, did yield thereunto, and so was Crowned King at *Scone*; all the Nobility, *Bruce* excepted, doing him homage. Some dayes after his Coronation he went to *Newcastle*, to do the homage

(as he had promised) to King *Edward* as unto his Sovereign Lord. The Nobles that accompanied him thither, fearing to withstand the two Kings so farre from home, did likewise swear subjection to King *Edward*. Which as soon as the rest of the Nobility and others of the State (who were tender of their countreys liberty) understood, they grew highly displeased: they that were in *Baliols* company were excused, as not daring oppose the fact in that place; but he himself having done it upon a secret paction, which then began first to break out, he became so universally hated, as after that time could he never purchase their love; nor was it long before he felt the smart of his own error. For being cited to answer before the Parliament of *England*, upon a complaint exhibited against him, he appeared; and having desired to answer by Procurator, the same was denied him, and he forced to descend to the ordinary place of pleading, and stand as a subject. This affront did so vex his minde, that from thenceforth he did meditate upon nothing but revenge, whereof a good opportunity was offered him by the warre, which then burst forth between *France* and *England*.

An. 1279.

Baliol hated for swearing subjection to the King of *England*.

Buchan. l. 8.

Baliol breaketh with *England*.

The Ambassadors of both these Kings coming at one time into *Scotland*, (the *French* to seek the renewing of the ancient League, and the *English* to crave a supply of men to be sent unto King *Edward*, by vertue of the late allegiance sworn by *Baliol*) the desire of *England* was utterly rejected, as unjust; *Because the allegiance sworn by their King was, as they said, forced; and granting, he had done it willingly, it was not in his power, without consent of the State, to do any such act. Therefore whatsoever was done by him that way, both he and they did recall, renouncing Edwards friendship, both for that and other wrongs committed by him.* Thereupon it was concluded, that two Ambassadors should be sent, one to *France* for renewing the League, and confirming it by new alliance of *Edward Baliol* the Kings son with the daughter of *France*; another to *England* for defying King *Edward*, and renouncing his allegiance. Towards *France*, *William* Bishop of *S. Andrewes*, *Matthew* Bishop of *Dunkeld*, Sir *John Sowlis*, and Sir *Ingram Umphraville* Knights, were employed. The Ambassador to *England* being declined by many, *Henry Abbot* of *Aberbrothock*, a man of great stomach, undertook and performed.

Ambassadors from *France* and *England*.

Boeth. l. 14.

Scot. l. 11. c. 18.

Upon this defection of *Baliol*, King *Edward* summoned him to appear at *Newcastle*; and upon his refuse entered into *Scotland* with a mighty Army, took *Berwick* with the slaughter of 7000. *Scots*, and had delivered into his hands the Castles of *Dumbar*, *Roxburgh*, *Edinburgh*, and *Striveling*. *Baliol* thus overthrown, was again by the persuasion of *John Cumin* of *Strathbogy*, brought to submit himself, and swear fealty of new to King *Edward*. After which, the Parliament of *Scotland* was called to meet at *Berwick*, there did all the Nobility that were present, perform homage to the King of *England*. *William Douglas*, a man nobly born, and of great courage, onely refused, and was therefore cast in prison, where he died. This done, King *Edward* turned home, leaving *John Warren* Earl of *Surrey* and *Sussex*, Governor of the kingdome, *Hugh Cressingham* Treasurer, and *Ormsley* chief Justice.

Baliol cited to *Newcastle*.

Scotland invaded by King *Edward*.

Buchan. l. 8.

Boeth. l. 14.

The Bishop of *S. Andrewes* who was lately come from *France*, not enduring to see the countrey so thrall'd, returned thither, appointing Mr. *William Knigorne*, and *Peter de Campaigne* his Chaplains to supply his absence in all spiritual affaires; *Robert* Bishop of *Glasgow*, and *Maurice* Bishop of *Isles*, were taken and sent prisoners to *London*. The rest of the Churchmen, though permitted to attend their Cures, were held under miserable bondage: whereupon they secretly dispatched a message to the Pope with *William* Archdeacon of *Lothian*, *Baldred Bisset*, and *William Egishame*, willing them to lament the oppressions of the Church, and the usurpation made upon the countrey, and so intreat him as the universal Father of Christendome, to use his authority with the King of *England*, over whom he had power, and take the matter to his own hearing, unto whose judgement they would simply submit themselves. Pope *Eoniface* the eighth, who then ruled that See, moved with their prayers, sent immediately to *Edward*, and desired him forbear any further proceeding against the *Scots*, alledging with a strange impudence, the Sovereignty of *Scotland* to belong unto the Church. The Commissioners nothing pleased with the Popes claim, did notwithstanding forbear to take notice of it, lest they should make him also their

The Bishops of *Glasgow* and *Isles* sent prisoners to *London*.

A message sent to the Pope from the Clergy.

Scot. l. 11. c. 36.

The Popes letters to King *Edward* and the Archbishop of *Canterbury*.

An. 1300.

King Edward
his answer.

enemy. To the same purpose did the Pope write letters to *Robert Winchelsey* then Archbishop of *Canterbury*, willing him to deal with the King for setting the Bishops of *Glasgow* and *Isles* at liberty, and the submitting of all controversies between him and the *Scots* to the judgement of the Apostolick See.

Kings *Edwards* answer to the Popes letter was, *That from all antiquity the direct and superiour dominion of Scotland did appertain to the Kingdome of England, even from Brutus unto his own time. That it was never yet heard that the Kingdome of Scotland belonged to the Church, nor did he think the Scots would confesse so much. And that if he should yield to his desire, he would unquiet his own Kingdome, and draw upon himself the hatred of his subjects; which he knew his Holiness would not wish. Therefore prayed him to hold him excused, and to be perswaded of his affection to the See Apostolick.* He moved likewise his Nobility, who were then met in Parliament at *Lincolne*, to write to the Pope to the same effect. Albeit somewhat more roundly they told him, *That the King their Lord ought not to undergoe his judgement in matters of that kinde, neither send his Procurators about that business as he had been required, seeing that was to call in doubt their Kings title, to the prejudice of his Crown, the royal dignity, the liberties, customes, and laws of England, which by their oath they were bound to observe; and would defend with their lives. Nor would they permit the King, although he would, in any way to attempt the same. Wherefore they besought his Holiness to meddle no more in that matter.* The Pope having his hands full otherwise at the time, did upon this dimit the *Scottish* Commissioners, who had made a long stay at *Rome* with great promises of favour, when he should see it to be convenient. The supplication directed to the Pope, is by some of our Writers said to be sent after King *Edwards* second expedition into *Scotland*, but I rather think it was at the first.

An. 1300.

William Wallace.

S. Daniel.

Boeth. l. 14.

Buch. l. 8.

A Parliament
S. Andrewes.King Edward
his course for
extirpating the
Scots.

Whilest these things were a doing, *William Wallace* a Gentleman well descended, but of no great estate, began to shew himselfe, and gathering (out of a desire to free his countrey from the subjection of *England*) a company of such as would adventure with him, effected things beyond all expectation; for he slew Sir *Hugh Cressingham*, who was left Governour of the Realme, recovered most of the strengths and Castles, wonne again the Town of *Berwick*, expelled the *English* Clergy that had planted themselves in the kingdome, and if he had not been hindered by his own countreymen, had made his victory absolute. King *Edward* being all that time in *Flanders*, and informed at his return to *England* of the distractions amongst the *Scots* themselves, fell of new upon them; and after a fore defeat given them at *Falkirk*, called a Parliament at *S. Andrewes*, where all the Earls and Barons did again swear obedience unto him, not one of any note (*Wallace* excepted) standing out in the whole kingdome.

And now did the State seem to be wholly ruined, for *Edward* intending to make sure his conquest, led away captive all that had the least ability to stirre, and to extinguish (if it had been possible) the very memory of the Nation; he abolished all the ancient Lawes of *Scotland*, traduced the Ecclesiastical rites to the form of *England*, destroyed the antique monuments erected either by the *Romanes*, or by their own progenitors; burnt all the Registers, with that famous *Library* of *Resennoth*, (wherein, besides many other volumes, were reserved the books which King *Fergus* the second brought with him from *Rome*) removed the *Marble Cbaire* in which (as the vulgar believed) the fate of the kingdome did consist; and to be short, left nothing which might incite generous spirits to remember their former fortunes, or encourage them in any sort to vertue and worthinesse.

Scon. Catal.
Episc. S. Andrewes.

Paß. l. 6.

The Bishop of *S. Andrewes* (who then remained at *Artevile* in *France*) upon the report of this pitiful vastation, did contract such a melancholy, as within a few dayes he died; his body was interred at the Predicants Church at *Paris*, and his heart brought into *Scotland*, and entombed by *Lamberton* his successour in the wall of the Church of *S. Andrewes*, nigh to the sepulcher of *Gamelinus*. He was a man careful of the Church, and sought by all means to better the estate thereof. At his first admission to the See he purchased the Priory of *May*, from the Abbot of *Reading* in *England*, which he gave afterwards to the Prior, and Chanons; and had he fallen in peaceable times, would have performed many good works.

26. *William Lamberton* Parson of *Campsey*, and Chancellour of the Church of *Glasgow*, was then preferred to the place. This man, after the Bishop of *Glasgow* was sent prisoner to *London*, made his own peace with King *Edward*, and swore fealty unto him, which was the thing that wrought his advancement; yet the *Culdees*, who claimed a chief voice in the election of the Bishop, withstood him mightily at the first. Before the Abbey was founded, the *Culdees* were the onely electors of the Bishop: afterwards being excluded by a Bull of Pope *Innocent* the second, the election was committed to the Prior and Chanons; whereupon arose a great controversy amongst them, which by the authority of good King *David* was agreed in these times, that so many of the *Culdees* as would become Chanons, and enter in the Monastery, should have voice with them. But to elude this appointment, a Mandat was procured from the Pope to admit none in the Convent without the advice of the Prior, and most part of the Chanons: by which means the *Culdees* were kept out, and deprived quite of all voice in the election. *William Comin* their Provost supposing to get some advantage of the Prior in these troublesome times, did strongly oppose *Lambertons* election, and the matter by an appeal drawn to the Consistory of *Rome*, they both went thither to debate their rights: in end *Lamberton* prevailed, and was consecrated by Pope *Boniface* in June 1298. This turned so to the disgrace of the *Culdees*, as after this time we hear no more of them, the name and Order being by little and little quite extinguished.

An. 1300.

William Lamberton preferred to *S. Andrewes* upon the death of *Frazer*.

Pas. l. 6. c. 2.

The *Culdees* and Chanons strife.

About the same time were the *Templars*, otherwise called the *Red-friers*, made away; an Order instituted by *Baldwin* King of *Jerusalem* some 200. years before for the defence of that city, and the safe conveying of all such as travelled thither, by the pious liberality of Princes and others well affected; they were in a short time greatly enriched, and for their wealth sore envied. Some report, that degenerating from their first institution, they became execrably vicious. But *Bocartius*, *Villanus*, *Antonius*, *Naucerus*, *Aventinus*, and other Authours do all purge them of the crimes laid to their charge. The rumour in that time went, that *Philip* King of *France*, to get one of his sons made King of *Jerusalem*, and possessed with their revenues, did labour to have them and the Order condemned. But others say, that the Pope (this was *Clement* the fifth) was mightily offended with them for inveighing against the corruptions of his Court, and sinfulness of the Clergy, which they maintained to be the only cause of all the miseries of Christendome, especially of the *Holy land*. But howsoever their destruction was wrought, all Authours testify that notwithstanding the cruel torments which divers of that profession were put unto, none of the crimes laid to their charge could ever be made out against them.

The dissolution of the *Templars*.

Paulus Emilius in his history writeth, that *James Burgond* the Principal of that Order being brought forth to die, and whilst the fire was kindling before him, having his life offered, if he would quickly declare, that what he had deposed in the time of his imprisonment, both of himself and of his whole Order, was true, did utter these words; *In these my last actions, it being unpardonable impiety to lie, I freely and frankly confess, that I committed a great offence, both against my self and my Order, and that therein I have deserved a most tormenting punishment, because in favour of them for whom I should not, and allured with the sweetness of life I have in my tortures slanderously imposed many impieties, and detractions upon the Order, which hath ever deserved well of the Christian world. I have no need of life obtained by intreaty, much less retained by lying, and defamation.* This said, and he being set to the pile, and fire kindled about the neather parts of his feet to wring out from him a confession, even when the flames began to waste and fire his entrails, he never swarved from the constancy of his former speech, or shewed the least change and alteration of minde. With him two other of the same Order did suffer (one of them being of a great family, and brother to the *Daulphin* of *Vienna*) who shewed the like constancy. There be other Authours of no small esteem saith *Plessis*, who report, That two Cardinals being present at their execution, the great Master did summon Pope *Clement* before the Tribunal of God, to answer for the wrongous judgement and sentence given against them, and that the Pope died the same day to which he was cited, being the

Paulus Emilius.

Plessis.

An. 1300.

40. day after their execution. Partly by these testimonies, and partly by the clause insert in the condemnatory Bull of Pope *Clement*, in which it was said, *Quamquam de jure non possumus, tamen pro plenitudine potestatis dictum ordinem reprobamus*, Albeit by way of right we cannot, yet out of the fulness of our power we reprobate and condemn the said Order; by this I say it would appear that they were rigorously used: But howsoever all the Kings of Christendome as combining together, caused them at one instant to be apprehended within their dominions, and put from their estates, which afterwards were given to the *Hospitalers* and *Knights of S. John*.

B. Lamberton
loseth K. Ed-
wards favour.

Buchan, l. 8.

Lesl. l. 7.

Boeth. l. 14.

But to return to *Lamberton*; he stood not long in King *Edwards* favour, being suspected for the entertainment he gave to *James Douglas* the son of *William Douglas*, who died in Prison at *Berwick*. This Gentleman at the time of his fathers death was in *Paris* following his studies, and being advertised that his father was dead, and his estate given away to strangers, returned home; where finding no means to maintain himself, he took his recourse to the Bishop, who pitying the Gentlemans estate, did accept him amongst his followers, and in the next expedition which King *Edward* made into *Scotland*, taking the Gentleman with him to *Straveling*, did present him to the King, intreating that he might have his lands restored, and be admitted into his service; King *Edward* answered, *That he could not look for good service of him, whose father had proved such an enemy; and that the lands were disposed to others that had merited better*. So the Gentleman despairing to finde any favour with the King, did await still upon the Bishop.

The Bishop
committed to
Prison.

Afterwards hearing that *Robert Bruce* had taken the field, he stole away secretly, taking with him the Bishops horses and moneys, and went to assist *Bruce*. King *Edward* apprehending this to be done with the Bishops knowledge, did commit him to Prison, where he remained till the death of King *Edward*, which happened in the year 1307.

Robert Bruce
crowned King.

King *Robert Bruce* was in this time crowned King, and by the troubles which *Edward* the second found in the beginning of his Reign, got leisure to settle himself in the Kingdome; so as when King *Edward* returned (which was not till seven years after his fathers death) to take possession of the Countrey, and came with a world of people, (they are reckoned to be no fewer then two hundred thousand) they were encountred by King *Robert* at the River of *Bannockburn*, and wholly defeated. This victory did so much discourage the *English*, as after a long surcease of warre, when some eight years after they attempted to repair themselves, they were forced with much dishonour to return and become suiters to the Pope to intercede for peace.

Boeth. l. 14.

Buchan. l. 8.

The Popes Le-
gate sent to
disswade the
King from
troubling En-
gland.

To this effect a Legate was sent into *Scotland*, who had audience given him at *Aberbrothock*; his Proposition was, "That the *Scots* should desist from troubling *England*, till the Pope should hear the questions that were amongst them, and be enformed of the right which King *Edward* had to the Crown of *Scotland*. King *Robert* answered, "That the Pope could not be ignorant of the estate of that businesse, the same having been often expounded by the Commissioners of *Scotland* to divers of his predecessours, in the hearing of many Cardinals then alive, who could relate, if they pleased, the insolent answers which Pope *Boniface* received, when he desired the *English* to forbear their cruell oppression of the *Scots*: "And now, saith he, when it hath pleased God to give us the better by some Victories, and that we have not onely recovered our own, but are in a possibility to make them live as good neighbours, they have recourse to such Treaties, seeking onely to gain time, that when they have settled their affairs, they may fall again upon us with the greater force; but in this his Holiness must excuse me, for I will not be so unwise as to let the advantage I have, slip out of my hands.

Boeth. l. 14.

The King his
answer to the
Legate.

The Kingdom
interdicted.

The Legate not satisfied with this Answer, and interpreting it as a disobedience to the Apostolick See, did put the Kingdome under Interdiction, and so departed. But the King to shew how little he esteemed these proceedings, followed the Legate at the heels, and entering into *England*, wasted all the adjacent Coun-
tries

tries with fire and sword. At his return from that expedition an Ambassage was sent to Rome for reconciling the Kingdome, and a Letter subscribed by the Nobility and Barons to the Pope, the Copy whereof I have thought good to insert. *Sanctissimo in Christo Patri & domino Johanni &c. filii sui humiles & devoti, Duncamus Comes de Fife, Thomas Ranulphus Comes Moraviae, dominus Manvia, & dominus Wallis Annandiae, Patricius Dumbar Comes Marchie, Malisius Comes Strathern, Malcolmus Comes de Lennox, Gulielmus Comes de Rosse, Magnus Comes Cathannon & Orcaden, & Gulielmus Comes Sutherlandie, Walterus Senescallus Scotie, Gulielmus de Souls Buttelarius Scotie, Jacobus de Douglas, David de Bricchen, David Grahame, Ingelramus Umphravile, Johannes Monteith Custos Comitatus ejusdem, Alexander Fraser, Gilbertus de Haya Constabularius Scotie, Robertus Marescallus Scotie, Henricus de Santo Claro Panitarius Scotie, Johannes Grahame, David Lindsay, Patritius Grahame, Johannes de Fenton, Gulielmus de Abernethy, David de Weymis, Gulielmus de Montefixo, Fergusius de Androssen, Eustathius Maxwell, Gulielmus Ramsay, Alanus de Moravia, Donaldus Champell, Johannes Cameron, Reginaldus Loquhoir, Alexander Seaton, Andreas Leslie, & Alexander de Straton, ceterique Barones & liberè tenentes & tota communitas Regni Scotie &c.*

An. 1300.

Buch. l. 8.

A Letter sent by the Nobles and Barons of Scotland to the Pope.

Scot. l. 13. c. 1.

Thereafter they said, "That Scotland being an ancient Kingdome governed by a continued succession of 97. Kings, and amongst the first that embraced the faith of Christ, living under the patronage of S. Andrew the brother of S. Peter, and graced with many privileges by the Popes his predecessors, had always been free from usurpation of any stranger, before that Edward the father of him that now reigneth in England, did in the time of the interreign, when the question was of a successour, labour by violence to establish the Kingdome to himself: since which time they have endured many injuries, having their Churches spoiled, their Monasteries burnt, and their Countrey intolerably oppressed, till of late it hath pleased God to stirre up King Robert Bruce, who as another Joshua or Judas Maccabeus had redeemed them by his valour; with whom they resolved in defence of their Countrey to spend their lives. And if he should forsake them (which they knew he would not do) so long as they were any of them in life, England should never bring them in subjection. Wherefore they besought his Holiness to make the English content themselves with the spacious bounds they possessed, in which there reigned sometimes seven Kings, and suffer the Scots quietly to enjoy that little piece of ground which their progenitors had long defended, and left free unto them. In end they entreated, "To be received again into his grace and favour, promising all dutifull obedience to him, and to the See Apostolick. This was the tenor of the Letter, which the Pope favourably accepted, and thereupon gave order that the English and Scots should both be warned to a certain Diet for debating their rights. The Diet come, and the English not appearing, the Pope after he had examined the case, and perused the rescripts of divers his predecessors, released the Interdiction which his Legate had published, and declared the Scots to be reconciled to the Church.

The Interdiction released.

The great discontents which were then amongst the English for the government of affaires under Edward the third (who was then made King upon his Fathers resignation) brought them to sue for peace: which after a short Treaty was concluded, and the Peace confirmed by a Match betwixt David Prince of Scotland, and Jane sister to King Edward. The Conditions of the Peace were these: "That King Edward should surrender by Charter his Title of Sovereignty of the Kingdom of Scotland; Restore whatsoever Acts, Deeds, and Instruments he had of Homage and Fealty done by the Kings of Scotland or their Nobility to any of his antecessors; especially those which Edward the first his Grandfather had by force extorted; and leave the Kingdome of Scotland as free as it was at the death of King Alexander the third: That the Scots should quit and renounce all the lands they held in England, and Stanmore be taken for the March both in Cumberland and in Northumberland: That no Englishman should enjoy lands in Scotland, unless he dwelt in the Countrey; And that in satisfaction of the lands possessed by some of them who would not remain in Scotland, the King of Scots

The English sue for peace.

The conditions of the peace.

An. 1328.

King Robert
Bruce dieth.

"should pay 30000. Marks. Peace thus made, and the marriage with great solemnity performed (though the Prince was then but seven years old) King Robert waxing sickly lived private (in a sort) untill his death, which happened some two years after. He was a King of incomparable wisdom and valour, whose worth and virtue no pen can expresse.

B. Lamberton
his death and
virtues.Scot. l. in Cata-
logo episc.
S. Andrew.

Whilest this Peace was treating, Lamberton departed this life, having continued Bishop thirty years: a Prelate wise, active, and a great Benefactor to the Abbey, wherein for the most part he kept his residence; The buildings, whereof now we onely behold the ruines, were erected upon his charges. It is reported, that being asked by one of his servants on a night, *Why he did lay out so great summes for the Monastery, and forget to build for himself?* he answered, *That ere he died, he hoped to build more then his successors should well maintain.* Which he indeed performed, for besides the repairing of his Palace in S. Andrews, he built at Monymaill, Torrey, Dersey, Inchmortach, Mufchart, Ketins, Lincon, Monymusk, and Stow in Twaddale, houses of good receipt for himself and his successors. He finished the Cathedrall Church which had been many years a building, and dedicated the same with great solemnity in the year 1318. He adorned the Chapter house with curious seats and ceiling, furnished the Chanons with pretious vestments for the daily service, stored their Library with Books, and at the Dedication of the Church procured of the King (who honoured the same with his presence) a yearly rent of 100. Marks to be paid to the Abbey forth of the Exchequer; which annuity was afterward redeemed by the donation of the Church of Fordon in Mernis: he himself the same very day gave unto the Prior and Convent the Churches of Dersey & Abercromby, as the donations yet extant do testifie; and dying at the last in the Priors Chamber within the Monastery, was buried in the new Church on the north side of the high Altar, in the year 1328.

Jo. Duns

Bil. cent. 14.

1. p. 17.

Camd. Brit.

The famous Doctor Joannes Duns, alias Scotus, lived in his time; he was born in the Town of Duns in the Countrey of Mers, and being yet a childe, after some taste he had got of the Latine Tongue, by the perswasion of two Minorite Friars, went to Oxford, studying Logick in Merton College: then applying himself to Scholastick Divinity, grew to such a perfection therein, as he was called *The subtile Doctor*; and was followed of a number, who after his name are called to this day *Scotists*. After he had professed a while at Oxford, he was called to reade Divinity in the University of Paris, and from thence went to Colein, where he died of the Apoplexy. They write that after he was laid in grave, his spirits did return, and that striving to get forth, he was there smothered; whereupon an Italian did write this Epigram:

*Quaecunque humani fuerant jurisque sacra,
In dubium veniunt cuncta vocante Scoto.
Quid? quod & in dubium illius sit vita vocata,
Morte illum simili ludificante strophâ;
Quum non ante virum vitâ jugulârit ademptâ,
Quam vivus tumulo conditus ille foret.*

Duns proved to
be a Scottish
man born.

The English Writers contend that this Scotus was born in England in Dunstane Village within the Parish of Emilden in the County of Northumberland; and confirm it by the Manuscripts reserved in the Library of Merton College, in one whereof are written these words; *Explicit lectura subtilis Doctoris in Universitate Oxoniensi (super libros Sententiarum) Doctoris Joannis Duns, nati in Villa de Emilden vocata Dunstan contracta Duns in Comitatu Northumbriæ, pertinens ad domum scolasticorum de Merton Hall in Oxonio, & quondam dictæ domus socii.* Thus ends the Lecture of the subtile Doctor in the University of Oxford (upon the book of sentences) Doctor John Duns born in a Village of Emilden callen Dunstan, or by abbreviation Duns, in the County of Northumberland, pertaining to the house of Scholars of Merton Hall in Oxford, and sometime one of the Fellows of the said House. But this is no sufficient proof; for it may be probably supposed that he

living

living at *Oxford* in *England*, when the warres were so hot betwixt the two Kingdomes, did dissemble his Countrey, and pretend himself to be an *English* born to eschew the hatred of the Students. In *Colein* where he might without danger shew of what Countrey he was, he did professe himself a *Scot*, and the *Minorites* (of which Order he was) did therefore upon his Tomb erected in their Church, at the end of the Quire nigh unto the high Altar, set this Inscription, which is there yet to be seen:

*Scotia me genuit, Anglia suscepit,
Gallia edocuit, Germania tenet.*

What a fine subtile wit he had, the Monuments left by him to posterity do witness. He died young in the year 1308.

27. The Chapter after *Lambertons* death meeting for the election of a new Bishop, went into factions, the one half giving their voices to Sir *James Bane* Archdeacon of *S. Andrews*, the other half to Sir *Alexander Kinnimouth* Archdeacon of *Lothian*; but *Bane* being then in the Court of *Rome*, and advertised of the Bishops death, obtained the Bishoprick of the Pope, who in those times disposed all Church livings as he thought good, having no regard to Canonick elections.

Sir James Bane elected in *Lambertons* place.
Scon. l. in Catal. episc. S. Andr.

This Bishop lived four years onely after his Consecration, and died at *Bruges* in *Flanders*: for upon breach of the Peace with *England*, and the Coronation of *Edward Baliol*, when *David* with his Queen went into *France*, he withdrew himself to the *Low-Countreys*. He was buried in the Monastery of the *Regular Chanons* within *Bruges*.

The Bishop dieth at *Bruges* in *Flanders*.

28. How soon *Bane* his death was made known, the Convent meeting, elected *William Bell* Dean of *Dunkeld*. The Pope refusing to confirm the election, the See remained void for the space of nine years and more. At last *William Landells* Provost of *Kinkell* upon the recommendation of the Kings of *France* and *Scotland*, was preferred and consecrated by Pope *Benedict* the tenth at *Avignon* in the year 1341.

The See of *S. Andrews* void nine years.
William Landells chosen Bishop.

This Prelate was nobly born, and the heir of great possessions in *Scotland*, of a generous minde, and given to all goodnesse: he lived Bishop 44. years, and in that time saw many alterations; King *David Bruce* peaceably repossessed in the Kingdome; taken captive in the Battell of *Duresme*, (where he himself was made Prisoner set again at liberty for the payment of one hundred thousand Marks sterling: to the help whereof he procured from the Churchmen, with the consent of Pope *Innocent* the sixth, the tenth of all Ecclesiasticall livings within the Kingdome for the space of three years: and after King *David* his death, his son *Robert Stewart* called *Robert the second* crowned King; to the fifteenth year of whose reign he attained, and then died in the Abbey of *S. Andrews*: his body was buried in the Cathedrall Church at the Chancery door.

It was a custome before these times, that when any Bishop deceased, all his moveable goods were seised on by the Kings Officers, as belonging to the King: this he got discharged, and liberty granted to all the Prelates to dispose their goods by Testament to whom they pleased; or if they should happen to die intestate, it was made lawfull to their nearest kinsmen to call and pursue for the same. The benefit of this privilege he himself first enjoyed.

The Bishops obtained liberty to dispose of their goods by Testament.

29. In his place the Prior of *S. Andrews* called *Stephen*, a man of great experience and wisdom, was chosen Bishop; who going towards *Rome* for Confirmation, was taken Prisoner at Sea by the *English*, and died at *Anwick* of sickness in the year 1385.

Stephen chosen Bishop of *S. Andrews*, he dieth at *Anwick*.

30. *Walter Traill* was then attending Pope *Clement* at *Avignon*, a man singularly learned, and well expert both in the Civill and Chanon Law. So great an opinion the Pope had of his worth, as at his preferment he did say to those that stood by him: *This man deserveth better to be Pope, then Bishop; the place is better provided then the person.* Which proved true in effect; for when he came to govern the See, he administred all affairs most wisely. Nor had he the charge onely of the Church, but the whole affairs of the Kingdome being cast upon him he governed

Walter Traill elected in his stead.

Scon. l. in Catal. episc. S. Andr.

An. 1401.

His virtues
and qualities.

An. 1401.

verned the same in such sort as the Realme was never remembred to have been better and more peaceably ruled. Writers describe him to have been a man of courteous behaviour, affable, pitiful, and compassionate of those that were in any sort distressed, a hater of vice, and of most sincere conversation. He lived unto a great age, in much esteem, and died in the Castle of *S. Andrews* (built by himselfe) in the year 1401. his body was interred with great solemnity amongst his predecessors, with this inscription ingraven upon his monument:

*Hic fuit Ecclesie columna, fenestra lucida,
Thuribulum aureum, Campana sonora.*

Thomas Stewart
son to Robert the second
elected Bishop.

Scot. li. in Ca-
talogo Episc.
S. Andree.

Henry Wardlaw
provided by
Pope Benedict
the 13. to the
Bishoprick.

A Schisme in
the Church.

Martin the 5.
chosen Pope
by the Council
of Constance.

The Abbot of
Pontiniac directed
to intimate the election.

Harding a Minorite
perswadeth the Scots
to continue in
the obedience
of Benedict.

John Fogo a
Monk of Melrose,
refuseth
Hardings Oration.

The schisme
made way to
the reformation.

John Wickliffe,
Hus, and Jerome
of Prague.

James Resby
Martyr.

Paul Craw
Martyr.

The Bishop his
qualities.

31. After him was *Thomas Stewart* son to King *Robert* the second (being then Archdeacon of *S. Andrews*) elected Bishop; but he affecting the retired life, refused to accept the place, which thereupon remained void the space of three yeares (for the Chapter would not in his life time proceed to a new election:) the rents were in the mean time assigned by King *Robert* the third (with the Convents permission) to *walter Danzelston* in recompence of the Castle of *Dumbrition*, which he enjoyed by an hereditary title, and did at that time resign unto the King.

32. *Thomas Stewart* deceasing, *Gilbert Grinlaw* Bishop of *Aberdene*, and Chancellour of the kingdome, was postulated Bishop; but *Henry Wardlaw* presentor of *Glasgow*, being then at *Avignon*, was provided thereto by Pope *Benedict* the thirteenth. There was at this time a fearful schisme in the Church, of all that we do read the most scandalous, and of longest continuance; two, and sometimes three Popes warring one against another, and condemning each anothers Ordinances; which did so divide the Christian world, and made such partakings as were pitiful. This schisme lasting 29. yeares and more, was at last quenched in the Council of *Constance*, and *Martin* the first chosen Pope.

Scotland at that time living in the obedience of *Benedict*, the Abbot of *Pontiniac* was directed to intimate the election of the Council, and had audience given him in a Convocation of the Clergy at *Perth*; thither came also one *Harding* a *Minorite* Frier, sent by *Benedict* to sollicite the Churches adherence to him against the decree of the Council, who taking for his Theam these words, *My sonne, do nothing without advisement, so shall it not repent thee after the deed*; held a long discourse of the proceedings of the Council, and the informality thereof, affirming that none was bound to obey and acknowledge the same. Master *John Fogo* a Monk of the Abbey of *Melrosse*, replying to his Oration; began his speech with that precept of the Apostle, *Withdraw your selves from every brother that walketh inordinately*, and refuting all the *Minorites* reasons brought against the Council, concluded that whosoever did procure for *Peter de Luna* (this was *Benedict's* name before he was elected Pope) was a very disturber of the Churches peace, and not to be countenanced in any sort. The Clergy in end disclaiming *Benedict*, promised obedience to Pope *Martin*, whom the Council had elected.

By occasion of this schisme, the mouths of many were opened against the corrupt doctrine and manners of *Rome*. *John Wickliffe* in *England*, *John Hus* and *Jerome* of *Prague* in *Bohemia*, did openly preach against the Tyranny of the Pope, and the abuses introduced in the Church, and in this countrey one called *Joannes Resby* an *English* man, & de *Schola Wickliffe*, as the Story speaketh, was brought in question for some points of doctrine which he taught, and condemned to the fire. He was charged by Master *Laurence Lendors* with forty heretical opinions, whereof we have two only mentioned; One, that the Pope was not *Christs* Vicar: The other, that he was not to be esteemed Pope, if he was a man of wicked life. For maintaining these two points, he suffered in the year 1407. Some 24. yeares after *Paul Craw* a *Bohemian* came into *Scotland*, and for venting certain opinions touching the Sacrament of the Supper, the adoration of Saints, and auricular Confession; he was also condemned, and burnt at *S. Andrewes* in the year 1432.

The death of these two Martyrs lieth heavy upon the memory of this Bishop, who otherwise deserved well of the countrey and Church, for in his time he laboured

red much to have the riotous formes crept in among all sorts of men repressed, and was a man most hospitable; They report of him that the Masters of his house complaining of the great numbers that resorted unto him for entertainment, and desiring that for the ease of the servants he would condescend to make a bill of household, that they might know who were to be served, he condescended; and when his Secretary was called to set down the names of the household, being asked whom he would first name, he answered, *Fife* and *Angus*, (these are two large countreys, containing millions of people:) his servants hearing this, gave over their purpose of retrenching his family, for they saw he would have no man refused that came to his house. The bridge at the mouth of *Eden* was his work. And besides, he was the first that opened the *publick Schooles* at *S. Andrewes*, making Divinity, Lawes, Logick, and all other parts of Philosophy to be there taught.

In the founding of this University he took his example from that of *Paris*, and obtained the Popes confirmation thereof, which in the year 1412. being brought from *Rome* by *Alexander Ogilvy* Master of Arts, was received with solemn processions, fires of joy, sounding of bells, and all the tokens of gladnesse, that could be expressed. Master *John Sheves* Official, Master *VVilliam Stephen*, afterwards Bishop of *Dumblane*, and Sir *John Lister*, a Chanon of the Abbey were appointed to read Divinity; Master *Laurence Lindors* was ordained to read the Common law, and Master *Richard Cornwall* the Civil; Master *John Gaw*, Master *VVilliam Fowlis*, and Master *William Crofier* were chosen for Philosophy men, worthy to be remembered for being the first instruments that were imployed in that service, and the attendance they gave upon it, having no allowance at all for their labours.

King *James* the first, at his return from *England*, 12. years after, did greatly advance this work by the encouragement he gave to studies; for not onely did he countenance professors with his presence at their Lectures, but also took order that none should be preferred to any Benefice, unlesse it was testified by them, that the person recommended had made a reasonable progresse in learning: and for that effect kept a roll of the most qualified persons by him for the filling of places that happened to fall void. This that good King esteemed to be the most sure and easie way for banishing ignorance forth of the Church, and ceased not to admonish the Churchmen that were in places to live as they professed, and not to shame the bountyfulness of Princes by abusing their Donations unto Riot and Luxury. Further, to allure them by good example, he brought home the *Carthusian Monks*, who were at that time greatly respected for their precisenesse of living, and erected for them a beautiful Monastery at *Perth*, bestowing large revenues upon the same. The Bishop surviving the King some seven years (for the King was treacherously murdered at *Perth* in the year 1437.) departed this life in the Castle of *S. Andrews* the sixt day of *April*, 1444. having governed that See 35. years, and was buried in the wall betwixt the Chore and the Chappel called *Our Ladies Chappel*.

33. *James Kennedy* Bishop of *Dunkeld*, and Nephew to King *James* the first by his sister the Countesse of *Angus*, was after *wardlaw* his death elected Bishop by the Prior and Chanons; he himself was then at *Florence* with Pope *Eugenius* the fourth, and had gone thither out of a desire to have the disorders crept in among Churchmen redressed, hoping to be strengthened with greater authority from thence. But finding all things troubled in these parts, *Eugenius* keeping a Council at *Florence*, whilest another was held at *Basile*, and each of them condemning another as unlawful; he returned with a resolution to do the best he could at home by his own credit. Upon his translation to *S. Andrewes*, he did put all things in such order, as no man then living did remember to have seen the Church in so good an estate, for partly by his own ensample, partly by the strict observance of discipline, he induced them all to live as became men of their profession. And as he was to the Clergy a pattern of vertue, so was he a great supporter of the King and Kingdome by his wise and prudent counsel: For in that insurrection of the Earls of *Dowglas* and *Crawford* against King *James* the second, when the King had determined to leave the countrey and flye into *France*; he found the meanes to disunite the rebels, and break their forces, restoring the King to his estate, and the kingdome

An. 1412.



The University of S. Andrews founded in the year 1412.

Boeth. l. 16.

King James the first a great favourer of the University.

Buchan. l. 10.

The King his admonition to the Churchmen.

Buchan. l. 10.

Boeth. l. 17.

Bishop Wardlaw dieth, Anno 1444.

Bishop James Kennedy translated from Dunkeld to S. Andrews.

Buchan. l. 12.

Kennedy his just praises.

An. 1466.



Bishop Kennedy
his death, the
year 1466.

Patrick Gra-
hame chosen to
succeed.

The See of
S. Andrews
erected in an
Archbishoprick

The Bulls of
Legation and
Primacie pub-
lished.

Buchan. l. 12.

The King in-
hibiteth the ex-
ercise of his
Legation.

dome to peace. And in the beginning of King *James* the third his reign, when matters were very troubled, he did so carry all things by his prudence, as whilst he lived, the publick estate received no harm. Of what and how great worth he was, it appeared soon after his death, all things turning to confusion both in the Church and State. A monument of his piety and magnificent minde towards the advancement of letters, is the Colledge he erected in *S. Andrews*, (now called *Saint Salvators Colledge*) which he built from the ground, provided with large revenues, and furnished with most costly ornaments. Thus having lived a great benefactor to the publick, and in much glory, he died at *S. Andrews* in the year 1466. 22. years he sate Bishop in this See, and was interred after his death in a sepulcher prepared by himself within the Chappel of the same Colledge.

34 *Patrick Grahame* his Nephew, *Buchannan* calleth him his brother (saying that they were born of one and the same mother) being Bishop of *Brichen* for the time, a man of singular vertues, was chosen to succeed. The *Boys*, who then ruled the Court, envying his preferment because of the variance betwixt the *Kennedies* and them, withstood his journey to *Rome*, where he was to get his confirmation: but he not staying upon the Kings licence, which he saw without their favour could not be obtained, took his way thither, and at his coming was well accepted of Pope *Paul* the second.

Whilst he abode there (for he stayed a long time, fearing to return so long as the *Boys* were in credit) the old controversie of the Archbishop of *York* his superiority over the Church of *Scotland*, was renewed by *George Nevill* Archbishop of that See for the time. The matter drawn in dispute before Pope *Sixtus* the fourth (for *Paul* the second was then dead) sentence was given for the Church of *Scotland*, whereby it was declared "a thing unfitting, that an *English* Prelate should be Primate of *Scotland*, by reason of the warres that might break forth betwixt the two kingdomes. And to the effect a Primate should not be lacking from thenceforth "in *Scotland*, the See of *S. Andrews* by the Bull of *Sixtus* was erected in an Archbishoprick, and the rest of the Bishops of *Scotland*, twelve in number, ordained "all to be subject unto that See. Further, the Pope for the Bishops more gracing, did appoint him his Legate for the space of three years, with commission to reform all abuses in the Church, and to correct the dissolutenesse of the Clergy.

How soon the Bishop was advertised of the alteration of Court, and that the King was begun to govern of himself, he made haste to return, sending before him the Bulls of Primacy and Legation to be published, thinking the same should have purchased to him a great respect. But he found himself deceived; for upon the publication (made at *Edinburgh* in *September* 1472.) the Bishops out of spite and emulation, because of the Primacie, the inferiour Clergy fearing his rigour in executing the Legation, and the Courtiers who made sale of all the Church-livings, apprehending that the same would be reformed, combined all against him, and went to the King, informing that he had accepted a Legation from the Pope without his licence, which was prohibited by the Lawes of the kingdome, and might prove hurtful to the king, and that in contempt of his Majesty he had gone to *Rome* without once asking him licence.

The King possessed with these informations did inhibit the Bishop how soon he landed to exerce any part of his Legation, till the King should try the complaints preferred against him, assigning the first of *November* for his compeirance. At the day he exhibited his Bulls, and shewed the power he had to reform abuses in the Ecclesiastical state intreating the King not to impede him in the execution of his charge; but his adversaries having corrupted some of the Kings Officers, and given (as it was said) the summe of eleven thousand Marks in hand, his petition was not regarded: his accusers to colour their proceedings the better, made an appeal to the Pope, offering to qualify before him the invalidity of the Bulls which he had purchased. So he was dimitted with expresse charge not to use the title and dignity of an Archbishop, nor to attempt any thing but that which the Bishops his predecessors had been accustomed to do, by vertue of their places, untill the decision of the controversie.

A while after a fresh and bitter enemy was raised against him, *William Shevez* a young man of a quick and active spirit, having studied some years at *Lovaine* under *John Sperrick* (who was famous in those dayes for his knowledge in the studies of physick, and astrology) did insinuate himself in the favour of the Court, which then was madly given to all sorts of divination; and the Archdeaconry of *S. Andrews* falling void in the middle time, procured the Kings recommendation to the Bishop for the same.

An. 1444.

William Shevez recommended to the Archdeaconry of *S. Andrews*.

The Bishop took exception at his studies, and in end gave him an absolute denial, as being insufficient for the charge, and otherwise not trained up in the knowledge of Divinity. *Shevez* taking to heart this disgrace (for so he did accompt it) combined with one *Locky*, Rector at that time in the University, and a professed enemy to the Bishop; these two conspired against him, and *Locky* who pretended he was the Bishops equal in jurisdiction, forging a quarel, denounced him excommunicate: but the Bishop contemning the sentence of his inferiour, carried himself both at home and abroad as he was wont; whereupon his enemies (as the custome is, when Church censures are despised) did implore the Kings assistance. Who being made to their effect, discharged the Bishop from coming into any sacred place, declared his goods confiscat, and sequestering all his servants, did appoint to him other attendants.

The Bishop rejecteth him as insufficient.

Shevez conspireth with the Rector.

The Bishop contemning the censure, hath his goods confiscated.

The rest of the Bishops to witnesse their gratitude, did present the King with a summe of money, which they had collected (with grudge enough) amongst the inferiour Priests; not the lesse, shortly after by the intercession of friends, and the advancing of moneys to the rulers of the Court, the Bishop was taken in favour, who then thinking all his troubles to be overpast, withdrew himself to his house of *Monymaill*; where he was scarce well settled, when the bankers of *Rome* stirred up by his adversaries, charged him with payment of the moneys, wherein he stood obliged for his Bull of priviledges. He not able to give satisfaction (for the most of his rents had been taken up yearly by the Kings Factors; and what he could purchase from his friends, was all bestowed at his late reconciliation amongst Courtiers) was of new accursed, his person arrested, his rents lifted by the Kings Officers, and a guard appointed to attend him in his own Castle at *S. Andrews*.

The Bishop taken in favour.

Buchan. l. 12.

The Bishop of new troubled by the bankers of *Rome*.

In this miserable condition not knowing what to do, he fell in some trouble of minde, and thereupon committed to the custody of *Shevez* his mortal enemy, who was declared his coadjutor, by reason of his distraction; yet the malice of his adversaries not satisfied herewith, at *Rome* they accused him of heresie, schisme, simony, and a number of other scandalous crimes; the trial whereof was commended to one *Husman* the Popes Inquisitor, and to *Shevez*.

The Bishop falling in some distraction is committed to *Shevez*.

Divers light and ridiculous accusations were brought against him, and amongst other points, he was charged to have said three Masses in one day; whereas in those times it was difficile to find a Bishop, that in three moneths did say one Masse; yet the process going on, witnesses were brought, who verified the accusations, and his enemy sitting Judge, he was sentenced as guilty of schisme, simony, heresie, and other crimes, and thereupon decerned to have lost his dignity, and condemned to perpetual prison.

Buch n. l. 12.

The Bishop condemned to lose his dignity.

35. The sentence pronounced, *Shevez* posted to *Rome*, got the sentence approved, and was himself provided to the Archbishoprick. All these crosses this innocent Bishop sustained most patiently: which his adversaries perceiving, they procured him to be put in close prison within the Isle of *Inchcolm*, where he had four keepers watching him that he should not escape. Warre afterwards breaking up with *England*, out of a fear that the *English* Navy (which was then at Sea) might fall upon the Isle, he was transported to *Dunfermlin*, and from thence to the Castle of *Lochleven*, where at last he died. This end had that worthy man, in vertue and learning inferiour to none of his time, oppressed by the malice and calumnies of his enemies, chiefly for that they feared reformation of their wicked abuses by his means. The title rather then the Prelacie it selfe, he enjoyed 13. years, and was buried in *S. servanus* Isle, within the Chappel of *Lochleven*.

Shevez provided to the Archbishoprick.

Patrick *Grahame* dieth at *Lochleven*.

All things went now in the Church daily from ill to worse, for these who did affect

An. 1478.

The Church
altogether in
disorder.

affect a reformation, and lived in some hope thereof, beholding the course of things, betook themselves to a private life. At Court benefices were sold, or then bestowed as rewards upon flatterers, and the Ministers of unlawful pleasures; and in the Church Canonical elections, especially in the Monasteries, were quite abrogated. The King presenting Abbots and Priors unto the Pope, none were refused that came with his recommendation. Thus was *Alexander Thomison* Abbot of *Dunfermlin* (canonically elected by the Monks some years before) extruded from his place, and *Henry Chrichton* then Abbot of *Paisley* surrogated in his stead by the Pope at the Kings intercession. Likewise *Robert Shaw* of *Minto* was in the same manner preferred into *Paisley*, the consent of the Convent not once required. So as the Monasteries, which were founded for pious and charitable uses, came by little and little in the hands of secular men, who having had their education in the Court, brought with them from thence the manners thereof, shaking off all care of discipline, and neglecting the duties of hospitality. This begat great offences, and made the foundations themselves abhorred; partly through the dissoluteness of those that lived in the places, and partly because men saw them inverted to other and contrary uses, then the first Founders had appointed. Neither were the Monasteries onely corrupted, but the whole Ecclesiastick state became also infected; Ignorance and Impiety every where prevailing, till in end the Laity putting their hands to the work, made that violent and disordered Reformation, whereof in the next book we shall hear.

Shevez recei-
veth the Pall,
and is invested
Anno 1478.

Left. 1, 8.

But to return to *Shevez*; he receiving the Pall from the Pope in sign of Archiepiscopal dignity, was publicly invested therewith in the Church of *Halirudhouse*, in the year 1478. the King and divers of the Nobility being there present. How he governed the See, I find not, but his entry being such as we have seen, did not promise much good. I read in some Writers, that he was induced by the King and the Duke of *Albany*, to dimit his place in the favours of Master *Andrew Stewart* Provost of *Lincolnden*, (the Kings Uncle) and to content himself with the Bishoprick of *Murray*, whereunto the said Master *Andrew* was provided; but it seemeth this charge took not effect, for both the one and the other possessed their own benefices untill their deaths.

Archbishop of
S. Andrew and
Glasgow at
dissension.

Some years before *Shevez* his death there arose a controversie betwixt him and *Robert Blacater* Archbishop of *Glasgow*, concerning their jurisdictions. For *Blacater* had obtained of Pope *Alexander* the sixth, the erection of the See of *Glasgow* into an Archbishoprick, and thereunto were the Bishops of *Galloway*, *Argyle*, and *Isles* ordained to be subject. *Shevez* refusing to acknowledge him for an Archbishop, both the Clergy and Noblemen went into factions, some taking part with the one, and some with the other. But this dissension was soon appeased; howbeit with the grudge of both parties, and *Glasgow* declared to be a Metropolitane Church, the honour of precedencie reserved alwayes to *S. Andrews*.

The History
of the Church
of Scotland.

Now whilest the Prelates were contending for preheminance, certain Articles were dispersed in the countreys of *Kile* and *Cunningham* against the doctrine taught in the Church, which stirred up divers to examine the truth of Religion then professed.

The Articles were these.

1. That Images ought not to be made, nor worshipped.
2. That the reliques of Saints ought not to be adored.
3. That it is not lawful to fight for the faith.
4. That Christ gave the power of binding and loosing to *Peter* onely, and not to his successors.
5. That Christ ordained no Priests to consecrate.
6. That after the consecration in the Masse there remaineth bread, and that the natural body of Christ is not there.
7. That tithes ought not to be paid to Ecclesiastical persons.
8. That Christ at his coming did abrogate the power of secular Princes.
9. That every faithful man and woman is a Priest.
10. That the Unction of Kings ceased at the coming of Christ.

11. That

- 11.] That the Pope is not the successour of *Peter*, except in that which our Saviour spake to him, when he said, *Goe behinde me Satan.*
12. That the Pope deceiveth the people with his Bulls and Indulgences.
13. That the Masse profiteth not the soules that are in Purgatory.
14. That the Bishops blessing is of no value.
15. That Indulgences should not be granted to fight against the *Saracens.*
16. That the Pope exalts himself above God, and against God.
17. That the Pope cannot remit the pains of Purgatory.
18. That the excommunication of the Church is not to be feared.
19. That in no case it is lawful to swear.
20. That Priests may have wives according to the Ordinance of the old Law, and that true Christians receive the body of Christ every day.

An. 1513.



The maintainers of these Articles were by an opprobrious title called *Lollards*; but whether or not they did hold all these opinions, may well be doubted, seeing we have them onely from the report of adversaries, whose chief study was to make them and their doctrine odious; and granting that they held the same, we are not to wonder, that in the first breaking up of the light men saw not the truth in every point, considering the darknesse and grosse ignorance of preceding times.

For dispersing these Articles, some thirty persons were cited before the Council, of whom the principals were, *George Campbel* of *Sesnock*, *Adam Read* of *Barskining*, *John Campbel* of *Newmilus*, and *Andrew Shaw* of *Polkennet*. The Archbishop of *Glasgow* laying these things to their charge, they answered all with such confidence, as it was thought safest to dimit them, with admonition to take heed of new doctrines, and content themselves with the faith of the Church. Of *Shevez* I find nothing said all this time, onely that he departed this life at *S. Andrews* in the year 1496. and was buried in the Cathedral Church before the high Altar.

The dispersers of these Articles cited before the Council.

36. *James Stewart* brother to King *James* the fourth, was provided after *Shevez* to the See, being yet very young, and lived but a short space, for he died at *S. Andrews* in the year 1503. his body was interred in the Cathedral Church amongst the Bishops his predecessors. In an old Charter produced by one of the vassals, I have seen him thus styled. *Jacobus sancti Andree Archiepiscopus, Dux Rossie, Marchio de Ormond, Comes de Ardmannach, Dominus de Bichen & Never, Commendatarius perpetuus Monasterii de Dunfermline, ac Regni Scotie Cancellarius.* The Charter is dated in this manner; *Apud Ecclesiam nostram Metropolitanam sancti Andree, 7^o. die Mensis Februarii, An. Dom. 1502. & nostrarum administrationum quinto.*

James Stewart brother to King *James* the fourth elected Bishop, Anno 1503.

37. To him succeeded *Alexander Stewart*, base son to King *James* the fourth, a youth of great hopes; he died with his father in the unfortunate battle of *Flowdon*, Anno 1513. and was much lamented by *Erasmus Roterodamus*, under whom he had studied some yeares. I finde him styled *Chancellour of the Kingdome* in one of the vassals Characters, which is dated in the year 1512.

B. Alexander Stewart succeeded.

38. Three strong competitors fell then at strife for the place, *Gawane Dowglas* Bishop of *Dunkeld*, *John Hepburn* Prior of *S. Andrews*, and *Andrew Forman* Bishop of *Murray*. *Gawane Dowglas* was nobly born (for he was brother to the Earl of *Angus*) and greatly esteemed for his vertue and learning. He upon the Queens presentation (who at that time governed all publick affairs) possessed himselfe with the Castle of *S. Andrews*. *Hepburne* a factious man and of great power procured the Chanons to elect him, and under this colour expelled *Dowglas* his servants, fortifying the house with a Garison of souldiers. *Forman* was provided by the gift of Pope *Julius* the second, and made *Legatus à latere*, (for by his many employments in *France*, and at the Court of *Rome*, he had gained to himself much credit) But the power of *Hepburn* was such as for a while no man could be found to publish *Formans* Bulls; *Alexander Lord Home* (who some write was *Formans* Uncle) was at last moved by the dimission of *Coldingham* in favour of his brother *David* to take his part, and coming to *Edinburgh* proclaimed the Popes gift, and *Formans* Legation with great solemnity.

A Competition for the Archbishop.

Buchan. l. 3.

Leff. l. 3.

This Act divided the *Homes* and the *Hepburnes*, who after that time were never in found friendship. *Dowglas* not willing to be seen more in that contention, did quit his

The Bishop of *Dunkeld* quitted his interest.

An. 1522.

The Duke of
Albany pacifi-
eth the Com-
petitors.

Lest. c. 9.

James Beaton
translated from
Glasgow to
S. Andrews.

An. 1522.

Lest. l. 9.

Buchan. l. 14.

Mr. Patrick
Hamilton Ab-
bot of Fern
Martyr.

Buchan. l. 14.

History of the
Church. p. 21.

his interest, leaving the quarrel to the other two, who did pursue it both. *Hepburn* posting to *Rome* laboured to have his election confirmed, but prevailed not. *Forman* because of his Legation was followed of the Churchmen for the most part, and acknowledged by all the vassals of the See; yet the jarring still continued untill the Duke of *Albany* his coming into the countrey, who at his acceptation of the Regency, brought them to a submission, and pacified all these strifes, distributing the Benefices in this manner. To *Forman* he left the Archbishoprick of *S. Andrews*, and Abbacy of *Dunfermlin*, which was given him by the Pope in Commendam. The Abbacy of *Aberbrothock*, which *Forman* likewise possessed, he gave to *James Beaton* Archbishop of *Glasgow*, and Chancellour for the time. The Prior *John Hepburn* was contented with a pension of three thousand Crows, which *Forman* was ordained to pay him during life; and upon his brother Master *James Hepburn* was the Bishoprick of *Murray* bestowed. *Alexander Gordon* Cousen to the Earl of *Huntly*, was made Bishop of *Aberdene*, *James Ogilvy* a brother of the house of *Ogilvy*, Abbot of *Drybrugh*, and *George Dundas* of the house of *Dundas*, Commendator of the preceptory of *Torphichen*. This partition did satisfie them all, and so they were fully reconciled. Some few years after, *Forman* died at *Dunfermlin*, where he was also buried; A plain and open man, but said to be profuse; besides the Benefices he possessed in *Scotland*, he was Archbishop of *Burges* in *France*, by the gift of King *Lewis* the twelfth; which did greatly increase his means.

39. Upon the death of *Forman*, *James Beaton* Archbishop of *Glasgow*, and Chancellour of the Kingdome, was translated to *S. Andrews*. Master *Gawane Dumbbar*, to whose instruction the young King was committed, was preferred to this place. The troubles of the time were great because of the minority of the King, and therein this Bishop had not the least part, being chased from the Court, and from his own dwellings, glad to lurk, and shift himself a long time from place to place amongst friends, to eschew the violence of the *Dowglasses*, who had settled themselves about the King, and swayed all affaires at their pleasures. But it was not long ere he made even with them; The Queen-mother (who had taken the Earl of *Angus* to her husband) falling into dislike of him, and pursuing a divorce in the Bishops Court, which she easily obtained: Thereupon the young King his escape from the *Dowglasses*, and their exile in *England*, at which time the Bishop was reponed to his office and place; seventeen years he lived Bishop of this See, and was herein most unfortunate, that under the shadow of his authority many good men were put to death for the cause of Religion, though he himself was neither violently set, nor much solicitous (as it was thought) how matters went in the Church.

The first that was called in question, was Master *Patrick Hamilton* Abbot of *Fern*, a man nobly descended (for he was Nephew to the Earl of *Arrane* by his father, and to the Duke of *Albany* by the Mother) and not much past twenty three yeares of age; This young gentleman had travelled in *Germany*, and falling in familiarity with *Martin Luther*, *Philip Melancthon*, *Francis Lamberd*, and other learned men was by them instructed in the knowledge of true Religion; in the profession whereof he was so zealous, as he was resolved to come back into his countrey, and communicate the light he had received unto others. At his return, wheresoever he came, he spared not to lay open the corruptions of the *Romane* Church, and to shew the errours crept into Christian Religion: whereunto many gave eare, and a great following he had both for his learning and courteous behaviour to all sorts of people. The Clergy grudging at this, under colour of conference, enticed him to the city of *S. Andrews*; and when he came thither, appointed Frier *Alexander Campbell* to keep company with him, and to use the best persuasions he could to divert him from his opinions. Sundry conferences they had, wherein the Frier acknowledging, that many things in the Church did need to be reformed, and applauding his judgement in most of the points, his minde was rather confirmed, then in any sort weakened. Thus having stayed some few dayes in the city, whilst he suspected no violence to be used, under night he was apprehended being in bed, and carried prisoner to the Castle; the next day he was presented before the Bishop, accused for maintaining the Articles following.

1. That

1. That the corruption of sin remains in children after their Baptism.
2. That no man by the power of his free will can do any good.
3. That no man is without sin so long as he liveth.
4. That every true Christian may know himself to be in the state of grace.
5. That a man is not justified by works, but by faith onely.
6. That good works make not a good man, but that a good man doeth good works, and that an ill man doeth ill works, yet the same ill works truly repented, make not an ill man.
7. That Faith, Hope, and Charity are so linked together, that he who hath one of them hath all, and he that lacketh one, lacketh all.
8. That God is the cause of sin in this sense, that he withdraweth his grace from man, and grace withdrawn, he cannot but sin.
9. That it is a devillish Doctrine to teach, that by any actuall penance remission of sin is purchased.
10. That auricular Confession is not necessary to salvation.
11. That there is no Purgatory.
12. That the holy Patriarchs were in heaven before Christs Passion.
13. That the Pope is Antichrist, and that every Priest hath as much power as the Pope.

An. 1527.

Articles where-
with the Abbot
was charged.

Being desired to expresse his minde touching these Articles, he said, *That he held the first seven to be undoubtedly true, whereunto he offered to set his hand: the rest (he said) were disputable points, but such as he could not condemne, unlesse he saw better reasons then yet he had heard.* After some conference kept with him on each Article, the whole were remitted to the judgement of the Theologues. There met to this effect Master *Hugh Spence*, Provost of *S. Salvators Colledge*, Master *James Waddall* Parson of *Fisk*, and Rector of the University, Master *James Simson* Official of *S. Andrews*, Master *Thomas Ramsay*, professour of the holy Scriptures, Master *John Grison* Theologue, and Provinciall of the *Black Friers*, *John Tillidaff* Warden of the *Gray Friers*, Master *Martine Balfoure*, and Master *John Spence* Lawyers; Sir *Alexander Young*, Batchelar of Divinity, Sir *John Annand*, Chanon of *S. Andrews*; Frier *Alexander Campbell* Prior of the *Black Friers*, and Master *Robert Bannerman* Regent of the Pedagogy. These men within a day or two, presented their Censure of the Articles, judging them all Hereticall, and contrary to the faith of the Church. This subscribed with all their hands, and delivered to the Bishop in a solemne meeting, kept in the Cathedrall Church the first of *March 1527*. sentence was pronounced against the young Gentleman, declaring him an Heretick: and giving him over in the hands of the secular power to suffer punishment due to Heresie.

Manuscript
processe which
is extant under
the hands of
the Theologues.

An. 1527.

There assisted the Bishop in that meeting, *Gawine* Archbishop of *Glasgow*, *George* Bishop of *Dunkeld*, *John* Bishop of *Brichen*, and *William* Bishop of *Dumblane*, *Patrick* Prior of *S. Andrews*, *David* Abbot of *Aberbrothock*, *George* Abbot of *Dumfermling*, *Alexander* Abbot of *Cambuskenneth*, *Henry* Abbot of *Lundors*, and *John* Prior of *Pettenweem*, the Dean, Subdean, and Thesaurer of the Church of *Glasgow*, with the Rectors of *Stobo*, *Areskin*, *Carstares*, *Goven* and *Glasgow*: All which set their hands to the sentence, and to give it the greater authority, whosoever were of any estimation in the University, were made to subscribe the same, amongst whom was the Earl of *Cassels*, a child of thirteen years old.

The subscri-
vers of the
sentence.

The same day, (for the execution was hastened, lest the King who was gone at that time in Pilgrimage to *S. Duthak* in *Rosse* should impede the proceeding) he was condemned by the secular Judge, and in the afternoon led to the place of his suffering, which was appointed to be at the gate of *S. Salvators Colledge*. Being come to the place, he put off his Gown, and gave it with his Bonnet, Coat, and other apparell to his servant, saying, *This stuffe will not help in the fire, yet will doe thee some good, I have no more to leave thee, but the ensample of my death, which I pray thee keep in minde. For albeit the same be bitter, and painfull in mans judgement, yet is it the entranceto everlasting life, which none can inherit, that denieth Christ before this congregation.* Then was he tied to the stake, about it a great quantity of coal,

The manner of
his execution,
and speech at
his dying.

An. 1527.

History of the
Church.His appealing
of Frier Camp-
bell.Frier Campbell
dieth of a
Phrensie.History of the
Church. p. 23.Numbers
brought to the
knowledge of
the truth by his
suffering.

Buchan. l. 14.

Frier Seaton
suspected of
Heresie.History of the
Church.Frier Seaton
called before
the Bishop.

wood, and other combustible matter was heaped, whereof he seemed to have no fear, but seriously commending his soul into the hands of God, held his eyes fixed towards the heavens. The Executioner firing the powder that was laid to kindle the wood, his left hand and the side of his face was a little scorched therewith, yet the fire did not kindle. Whereupon some were sent to the Castle to bring more powder; whilst this was bringing, he uttered divers comfortable speeches to them that stood by: The Friars all that time molesting him with their cries, bidding him convert, pray to our Lady, and say, *Salve Regina*: amongst them none was more troublesome then Frier *Alexander Campbell*, who, as we said, kept company with him at his first coming to the City; often he besought him to depart, and not to vex him; but when he would not cease his crying, he said, *Wicked man, thou knowest I am not an heretick, and that it is the truth of God, for which I now suffer; so much thou diddest confesse unto me in private, and thereupon I appeal thee to answer before the Judgement seat of Christ.*

The powder by this time was brought, and the fire kindled, after which with a loud voice he was heard to say, *How long, O Lord, shall darknesse oppresse this Realm? how long wilt thou suffer this tyranny of men?* and then closed his speeches with these words, *Lord Jesus receive my spirit.* His body was quickly consumed (for the fire was vehement) but the patience and constancy he shewed in his dying, stirred up such compassion in the beholders, as many of them doubted not to say, that he suffered an innocent, and was indeed a true Martyr of Christ. This opinion was further confirmed by the death of Frier *Campbell*, and the manner of it; for within a year and lesse, he fell into a phrensie, and died as one desperate.

The rumor of this execution stirred up some in all the quarters of the Kingdome to enquire of the reasons of his suffering, and what the articles were for which he was condemned; by the inquisition whereof, many were brought to understand, and apprehend otherwise of the truth of things, then formerly they did. In the University it self was left so deep an impression of his Doctrine, as could not afterwards be extinguished; yea divers of the Friars fell after this time openly in their Sermons to condemne the errors, and abuses of the Clergy. Frier *Alexander Seaton* one of the *Dominican Order*, a man reasonably learned, and for the time Confessor to King *James* the first, preached ordinarily at *S. Andrews* all the Lent following, where taking for his subject the Commandements of the Law, he did insist much on these points: "That the Law of God is the onely rule of righteousness: That if Gods Law be not violated, no sin is committed: That it is not in mans power to satisfie for sin: and that the forgiveness of sin, is no otherwise purchased, then by unfeigned repentance, and true faith, apprehending the mercy of God in Christ. Of Purgatory, Pilgrimage, prayer to Saints, Merits and Miracles, which was the usuall matter of Friars Sermons, not a word he spoke; whereupon he grew to be suspected as one inclining to heresie. About the end of Lent, upon some occasion he went to *Dundy*, and being there, was advertised, that another of his Order was set up to refute the points of Doctrine he had taught; which moved him to return to *S. Andrews*, and confirm the same points which he had formerly delivered, adding somewhat besides of the vertues required by the Apostle in a good and faithfull Bishop.

Thereupon he was called before the Bishop, and charged to have affirmed in his Sermon, that a Bishop should be a *Preacher*, and that the Bishop who preached not, was a *dumbe dogge*, and one that fed not the flock, but his own belly. The Frier answering, "That he had said indeed, that *S. Paul* required a Bishop to be a *Teacher*, and that *Esay* called them *dumb dogges* who did not preach, but that he himself had affirmed nothing. I declared, said he, what the Spirit of God said, with whom if men offend not, they cannot justly offend with me; and those that have reported my speeches, seem to be unlearned asses, who cannot put a difference betwixt that which *Esay*, and *S. Paul* speaks, and that which of my self I speak. I never said that you my Lord and the other Bishops who preach not, are *dumb dogges*, I onely told what the Prophet and the Apostle said in that case.

This

This answer galled the Archbishop exceedingly, yet knowing the man to be one of an audacious and bold spirit, he dissembled his anger, minding to bring him in discredit with the King; which was easily wrought, because of the liberty the Frier used in reproving the Kings licentiousness. So perceiving the Kings countenance altered towards him, and fearing some danger, if he should stay any more at Court, he fled to *Berwick*, and from thence wrote unto the King, shewing the cause of his sudden departing to be the fear he conceived of the authority of the Bishops, who had behaved themselves as Kings, and would not admit any man, of what state or degree soever he was, if once they did account him an heretick to speak in his own defence; Notwithstanding for himself, he offered to return, and justify his cause, so as he might have audience. Withall, he advertised the King, that it concerned him in duty to see that every one who is accused of his life be permitted to use his lawful defences: for howsoever the Prelates held, that such matters belong not to the cognition of the Prince, he would make the contrary manifest by their own lawes, if he should be once heard. Wherefore he besought his Highness not to be led any more by their informations, but to use the authority committed unto him by God, and not to suffer these Tyrants proceed against him, till he was brought to his answer, which he would not refuse to give, so as he might be assured to do it with the safety of his life.

An. 1527.

The Frier flyeth to *Berwick*, and from thence writeth to the King.

This letter receiving no answer, after he had stayed a while at *Berwick* he went to *London*, and became Chaplain to *Charles Duke of Suffolk*, in whose service he died. In the book of Martyrs I read, that *Gardiner* Bishop of *Winchester*, by his crafty and subtle perswasions, induced him to make a recantation of sundry points at *Pauls Cross*; but what his belief was of most of the Articles of Christian faith, it appeareth by the Treatises he left behinde him; his examination by *Gardiner* and *Bonner* (which he likewise published, discovering the policies they used to circumvene him) doth testify his constancie in the truth, and that he never denied any point which formerly he had taught.

He becometh Chaplain to the Duke of *Suffolk*.

Acts of Martyrs.

Soon after his flight, one *Henry Forrest* was delated for saying that Master *Patrick Hamilton* died a Martyr, and thereupon was brought to *S. Andrews*: but because the probation was not clear enough, Frier *Walter Lainge* was appointed to confesse him. The simple man that feared no harm, being asked by the Frier what was his judgement of Master *Patrick*, answered, *That he esteemed him to be a good man, and that the Articles for which he was condemned, might well be defended.* This confession revealed by the Frier, was taken for a sufficient evidence, and the poor man condemned to be burnt as an heretick. As he was leading out to be degraded, he complained grievously of the Frier who had betrayed him, crying out, *Fie on falshood, fie on false Friers, revealers of confession. Never let any man trust them after me. They are despisers of God, and deceivers of men.* And when they were taking from him his Orders, (for he was of the Order of the *Bennet and Collet* (as they used then to speak) he cried aloud, *Take not onely from me your Orders, but your Baptisme also.* So being carried to the place of execution, (which was appointed to be at the North stile of the Abbey, to the end the hereticks of *Angus* might see the fire) he suffered death most constantly. Whilest they were consulting upon the manner of his execution, one *John Lindsay* a plain and simple man who attended the Bishop, gave advice to burn him in some hollow cellar: for, *the smoke*, saith he, *of Master Patrick Hamilton hath infected all those on whom it blew.*

Henry Forrest Martyr.

Yet the persecution still proceeding, divers were cited to appear at *Halirudhouse*, by *James Hay* Bishop of *Ross*, who late as Commissioner for the Archbishop of *S. Andrews*, amongst others *James Hamilton* of *Levingston*, brother-germane to Master *Patrick*, with *Katharine Hamilton* his sister. The Gentleman was advised by the King secretly, (for he loved the man) not to appear, and was for his contumacie condemned. His sister appearing, and questioned upon the point of *justification by works*, answered simply, that she believed no person could be saved by their works. Master *John Spence* the Lawyer, (whom we named before) held a long discourse with her about that purpose, telling her that there were divers sorts of works, *works of congruity*, and *works of condignity*; in the application whereof he

Divers cited to appear at *Halirudhouse*.

An. 1534.



consumed a long time. The woman growing thereupon into a chafe, cried out, *Work here, work there, what kind of working is all this? I know perfectly that no works can save me, but the works of Christ my Saviour.* The King was present all the time, and laughed heartily at the answer, yet taking the Gentlewoman aside, he moved her to recant her opinions, and by her ensample divers others at the same time abjured their profession: of which number were, Sir William Kirk Priest, Adam Daes, Henry Cairnes, Master William Johnston Advocate, Master Henry Henryson Schoolmaster in Edinburgh, and John Stewart In-dweller in Leith.

Normand Gourlay and David Straiton Martyrs.

Acts of Martyrs.

These persons scarce dismissed, Master Normand Gourlay, and David Straiton were brought to trial. Master Normand was charged for denying *Purgatory*, and saying that *the Pope had no jurisdiction within Scotland*; David Straiton was charged with the same points, and further was accused, for maintaining that *Tithes were not due to Churchmen*: which point he denied, confessing that the tithes of some fishes which his servants had taken at sea, being too rigorously exacted, he said, that if they would have the tithes of the fishes they should go and receive them where the stock was taken; and that he gave order to his servants to cast every tenth fish they took into the Sea, because he saw nothing but rigour would content the Church.

History of the Church.

This Gentleman had been in former times very quarellous and turbulent, but was then become another man, through frequenting the company of John Areskyn of Dun, by whom it pleased God to enlighten his mind with the knowledge of his truth, and to kindle in his heart such a love to the same, as usually he was heard to pray for strength and spiritual courage, that if he should be brought to suffer for Christ no fear of death nor corporal pain might cause him shrink. And it clearly appeared, when he was brought to his answer, that his prayers were heard. For notwithstanding of the offers made him to recant and burn his bill, (as they spoke at that time) he stood most constantly to the defence of the truth, and gave great encouragement to Master Normand Gourlay, who suffered with him. These two were

An. 1534.

burnt at one stake the 27. of August, 1534.

Alexander Aleffe and others, fly to England.

At the same time was sentence pronounced against Alexander Aleffe, Master John Fife, John Mackbee, and one Macdongal, who were summoned to the said Diet, and compeered not. These persons fled afterwards into England, where they remained a while well entertained. Alexander Aleffe by the commendation of the Lord Cromwel came in favour with King Henry the eighth, and was called commonly *the Kings Scholar*; as he was indeed a man of good learning, and gave thereof a notable proof in his dispute with Stockeslie, Bishop of London, before the Convocation in the year 1537. After Cromwels death, taking with him Master John Fife, he went into Saxony, where they lived Professours together a long time in the University of Lipsia. Macdongal went also in their company, and came to good credit, being elected Burgomaster of one of their Townes. John Macbee, commonly called *Doctor Machabeus*, during his abroad in England, was liberally entertained by Nicol Saxton, Bishop of Salisbury, who made much accompt of him, but afterwards going to Denmark became Chaplain to King Christian, in whose service he died in the year 1550. Thus it pleased God to provide for these men after their exile.

Sal. cent. 14.

Divers accused of heresie in a meeting at Edinburgh.

An. 1538.

The Vicar of Dolour his conference with the Bishop of Dunkeld.

Some four years after, the Bishops kept a meeting at Edinburgh in the moneth of February, 1538. where divers were accused of heresie, and condemned to die. Frier Killore, Frier Beverage, Sir Duncane Simpson Priest, Robert Forrester a Gentleman, and Dean Thomas Forrest a Chanon of S. Colinsinch, called commonly *The Vicar of Dolour*. This poor man not long before had been called before the Bishop of Dunkeld his Ordinary, for preaching every Sunday to his Parishioners upon the Epistles and Gospels of the day, and desired to forbear, seeing his diligence that way brought him in suspicion of heresie. If he could find a good Gospel, or a good Epistle that made for the liberty of the holy Church, the Bishop willed him to preach that to his people, and let the rest be. The honest man replying, *That he had read both the new Testament and the old, and that he had never found an ill Epistle or an ill Gospel in any of them.* The Bishop said, *I thank God I have lived well these many years,*
and

and never knew either the old or new. I content me with my Portuise, and Pontificall, and if you Dean Thomas leave not these fantasies, you will repent, when you cannot mend it. Dean Thomas answered, that he believed it was his duty to do what he did, and that he had laid his accompt with any danger that might follow. So at this time being brought in question with the persons above named, they were all together condemned, and burnt in the fire upon the Castle hill of Edinburgh.

This year in Glasgow, Hieronymus Russel of the Order of the Gray Friars, and one Kennedy a young man of Aire, not past 18. years of age, were accused likewise of heresie; but because the Archbishop Mr. Gawine Dumber, was esteemed somewhat cold in those busineses, Master John Lawder, Master Andrew Oliphant, and Frier Maltman were sent from Edinburgh to assist at their trial; Kennedy at his first appearing in judgement discovered some weaknesse, and would gladly have saved his life by denying the points laid to his charge; but encouraged by Hieronymus, and by the answers he made to the Judges, he gathered his spirits, and falling down upon his knees, brake forth in these words; *wonderful O God is thy love and mercy towards me a miserable wretch, for even now when I would have denied thee, and thy Son the Lord Jesus Christ, my onely Saviour, and so have thrown my self into everlasting condemnation; thou by thine own hand hast pulled me back from the bottome of hell, and given me to feel most heavenly comfort, which hath removed the ungodly fear, that before oppressed my mind. Now I desie death, do what you please, I praise God, I am ready.*

The Frier reasoned long, and learnedly against his accusers, and being answered only with railings, and bitter speeches, said, *This is your hour, and power of darknesse; Now you sit as Iudges, and we stand wrongfully condemned, but the day cometh which will shew our innocencie, and you shall see your own blindness, to your everlasting confusion; Go on, and fulfill the measure of your iniquity.* At which words the Archbishop was greatly moved, affirming that these rigorous executions did hurt the cause of the Church more then could well be thought of, and therefore declared, that in his opinion it should be best to save the lives of the men, and take some other course with them; but these others who were sent to assist, told him expressely, that if he followed any milder course, then that which had been kept at Edinburgh, they could not esteem him the Churches friend: whereupon he was compelled to give way to their cruelty, and thus these Innocents were condemned to be burnt alive.

All the time they were preparing the fire, Hieronymus comforted mightily the young man, using these speeches unto him, *Fear not brother, for he is more mighty that is in us, then he who is in the world. The pain which we shall suffer is short, and light, but our joy and consolation shall never have an end; death cannot destroy us, for it is destroyed already by him, for whose sake we suffer: Therefore let us strive to enter in by the same straight way, which our Saviour hath taken before us.* Many other comfortable speeches he uttered, which moved the hearers wonderfully. When they were brought to the place of their suffering, they used not many words, but commending their souls to God, after they were tied to the stake, endured the fire constantly, without expressing any token of fear or amazement.

It was about the same time, that Master George Buchannan (who for his rare erudition was afterwards in great fame) for some biting verses against the Franciscans was committed to prison, but he escaping by a window of the chamber, wherein he was detained prisoner, whilest the Keepers were fast asleep, fled into France. Thus there passed few dayes, wherein some one or other was not called in question for Religion. But the more hot the persecution was, the favourers of the truth did every day the more increase. And now had the Archbishop James Beaton committed the charge of all Church-affairs to his Nephew the Cardinal (who succeeded in his place) for he was aged and sickly himself, and not seen often abroad. In his last dayes he began to erect the new Colledge in S. Andrews, and set men awork to build the same; but neither lived he to finish the work, nor were the moneys he left in store to that use rightly bestowed. Some contestings a few years before he and the Clergy had with the King, because of the impositions laid upon

An. 1538.

History of the Church.

Ultimo Febr. 1538.

Frier Russel and one Kennedy martyred at Glasgow.

History of the Church.

The Archbishop dissuadeth the execution.

The courage of Russel at his dying.

Master George Buchannan escapeth out of prison.

Buchan. l. 14.

The History of the Church.

The Archbishop committeeth the charge of all affairs to his Nephew the Cardinal.

An. 1539.

A contest for
the imposition
laid upon the
Clergy for the
Lords of Ses-
sion.

Buchan. l. 14.

L. fl. l. 9.

Bishop Beaton
dieth.

The learned
men that lived
in this time,
M. John Maior.

Eal. cent. 14.

L. fl. l. 9.

Hector Boeth.

Eal. cent. 14.

Gilbert Crab.

Eal. cent. 15.

William G. c-
gory.

Eal. ibidem.

upon the Prelates, for the entertainment of the Senators of the Colledge of Justice. So as the matter was drawn by an appeal to *Rome*, and *Gawine Dumbear* Bishop of *Aberdene* appointed to prosecute the same. But this ceased upon an accord made, which was, that the Senate should consist of fourteen Ordinaries with a President, seven of the Spirituality, and as many of the Temporality; the President alwayes being of the spiritual estate, and a Prelate constitute in dignity. According to this appointment, a ratification passed in Parliament anno 1537. and the Abbot of *Cambuskenneth* was elected President of the new Senate in the year 1539. The Bishop a little after he had assisted as witnesse at the Christening of the Kings first son, who was born at *S. Andrews*, departed this life, having designed his successours in all the Benefices he enjoyed, which were not a few; for besides the Archbishoprick of *S. Andrews*, he possessed the Abbacies of *Aberbrothock*, *Dunfermlin*, and *Kilwinning*. To his Nephew the Cardinal, he left *S. Andrews* and *Aberbrothock*. To *George Dury* his kinsman the Abbacie of *Dunfermlin*, and to *Hamilton* of the house of *Roplock*, the Abbacie of *Kilwinning*. All which, the King for the esteem wherein he held this Bishop whilest he lived, confirmed to them according to his Will: he was buried in the Abbey Church before the high Altar.

In his time lived Master *John Maior*, *Hector Boeth*, *Gilbert Crab*, and *William Gregory*, men of good learning, and worthy to be remembred. Master *John Maior* was born at *Hadington*, within the Province of *Lothian*, and trained up from his youth in the study of letters. A while at *Cambridge* he heard Philosophy taught, but finding the place not so convenient, he went to *Paris*, and past his course in the Colledge of *Montacute*. After that he gave himself to Theology, commencing Doctor amongst the *Sorbonists*, and in scholastick Divinity was not much behinde any of his time, which his *Decisiones sententiarum*, *Sophisticalia Parisiensia*, and that other work intituled *Placita Theologica*, do sufficiently witnesse. Returning afterwards unto his countrey, he professed Theologie in *S. Salvators Colledge* at *S. Andrews*, whereof he was made Provost, and died there being of a good age: a man well inclined, ingenious, and according to these times not unlearned. He wrote the story of his countrey, howbeit in a *Sorbonick* and barbarous style, yet very truly, and with a great liberty of spirit, not sparing the usurpation of *Rome*, and taxing in divers places the laziness and superfluity of the Clergy: which could hardly be done in those times without danger.

Hector Boethius was Principal of the Colledge of *Aberdene*, a great Philosopher, and much commended by *Erasmus* for his eloquence, and felicity of ingenie. *Buchannan*, who could well discern of learned men, speaking in a certain place of him sayeth, *Quod non solum arium liberalium cognitione supra quam illa ferebant tempora insignis erat, sed etiam humanitate & comitate singulari praeclitus*; That he was not only notably learned in the liberal Sciences above the condition of those times, but also of an exceeding courteous and humane inclination. Yet is he traduced by some of the *English* Writers for a fabulous and partial Historian. But they who like to peruse his History, will perceive that this is spoken out of passion and malice, and not upon any just cause.

Gilbert Crabbe lived in the countrey of *France*, much esteemed for his dexterity and diligence in the education of youth; he was sent to *Paris* by his friends being yet very young, and having studied his course there, was preferred to be Sub-dean of a Church near unto *Burdeaux*, yet ceased not to advance the knowledge of letters at his uttermost; and was so respected, as the children of all the Noblemen in those parts were committed to his instruction. He died young at *Burdeaux*, not having attained to the fortieth year of his age, much lamented of those that knew him.

William Gregory lived in *Tholouse*, and was made General of the *Carmelites* in the Diocese of *Meaulx* and *Tholouse*, which Order he is said to have greatly reformed. *Baleus* writeth that he received much kindness of this *Gregory* at *Tholouse* in the year 1527. and saith, that he died in that City, having left divers monuments of his ingenie to the posterity, the Catalogue whereof you may see in the place.

With

With this I shall joyn another, not for any commendation of his learning, for he had none, nor for his good qualities, which were as few; but for strange and extraordinary things seen in him, which in the time ministred occasion of great talk and wondring to many. This man named *John Scot* having succumbed in a plea at law, and knowing himself unable to pay that wherein he was adjudged, took sanctuary in the Abbey of *Halirudhouse*, where out of a deep displeasure he abstained from all meat and drink the space of 30, or 40. dayes together. Publick rumour bringing this abroad, the King would have it put to trial, and to that effect shut him up in a private room within the Castle of *Edinburgh*, whereunto no man had access; he caused a little bread and water to be set by him, which he was found not to have tasted in the space of 32. days. This proof given of his abstinence, he was dimitted, and coming forth into the street halfe naked, made a speech to the people that flocked about him, wherein he professed to do all this by the help of the Blessed Virgin, and that he could fast as long as he pleased. Many did take it for a miracle, esteeming him a person of wonderful holiness; others thought him to be phren-tick and mad; so as in a short time he came to be neglected, and thereupon leaving the countrey went to *Rome*, where he gave the like proof of his fasting to Pope *Clement* the seventh.

An. 1539.

John Scot his memorable fasting.

Buch n. l. 14.

Lest. l. 9.

From *Rome* he came to *Venice* apparelled with holy vestures, such as the Priests use when they say Masse, and carrying in his hand a Testimonial of his abstinence under the Popes Seal, he gave there the like proof, and was allowed some five Duckats to make his expence towards the holy Sepulcher, which he pretended to visit. This voyage he performed, and then returned home, bringing with him some palm-tree leaves, and a scripful of stones, which he said were a part of the pillar to which our Saviour was tied when he was scourged; and coming by *London*, went up into the Pulpit in *Pauls Church-yard*, where he cast forth many speeches against the divorce of King *Henry* from *Katherine* his Queen, inveying bitterly against him for his defection from the *Roman See*, and thereupon was thrust in prison, where he continued 50. dayes fasting.

He taketh his journey to the holy Sepulcher.

He is imprisoned in London.

After that being dimitted (for they held him to be a mad man) he came directly into *Scotland*, and remained in company with one *Thomas Doughty*, who a little before was returned from *Italy*, and had built a little Chappel to the holy Virgin, with the money he had begged in his travel. This man by his counterfeit miracles made great advantage amongst the simple people; and albeit he was known to be a cou-fening fellow, and in life extremely vicious, yet was he suffered by the Clergy to abuse the ignorant multitude, for that the opinion of Purgatory, Pardons and prayers to Saints, which began then every where to be despised, was by this mean nourished amongst the people.

Thomas Doughty suffered to abuse the people.

Scot grudging that *Doughty* did appropriate all the gain he made to himselfe, did not admit him a partner in the same, retired to a house in the suburbs of *Edinburgh*, at the Western part of the Town, and therein erected a religious Altar, which he adorned in the best manner he could, setting up his daughter a young maid of reasonable beauty upon the Altar, and placing lights and torches round about her: the simple sort for a long time believed her to be the Virgin *Mary*, and frequented the place in great numbers to do her worship: but the knavery coming to be detected, he forsook his Altar, and forgetting all his devotion, returned to his first trade and manner of life. *Lesley* in his story saith, that he prophesied many things concerning the decay of the *Romish* Religion, and the restitution of it in a short time; of the decay he might speak having seen it begun, but for other things he was a dreamer rather than a Prophet.

Scots emulation of Doughty, and his counterfeite.

40. The first act of the Cardinal after his promotion, did shew what an enemy he would be to those who in that time were called *hereticks*; for he was not well warmed in his seat, when to make his greatness seen, he brought to *S. Andrews*, the Earles of *Huntley*, *Arran*, *Marshall*, and *Montrose*; the Lords *Fleming*, *Lindsay*, *Erskene*, and *Seaton*, with divers other Barons and men of quality. There came thither also, *Gawine* Archbishop of *Glasgow* Chancellour, *William* Bishop of *Aberdene*, *Henry* Bishop of *Galloway*, *John* Bishop of *Brichen*, and *William* Bishop of *Dumblane*, the

The history of Cardinal Beaton.

An. 1540.



Sir John Borthwick cited for heresie.

The heads of his accusation.

The Abbots of *Melrofs*, *Dunfermlin*, *Lindors*, and *Kinloss*, with a number of Priors, Deans and Doctors of Theologie. And they all having convened in the Cathedral Church, he sitting in a Chair somewhat erected above the rest, (for that he was a Cardinal) began to expone the dangers wherein the Catholick faith stood by the increase of hereticks, and the boldnesse they took to professe their opinions openly even in the *Kings Court*, where he said *they found too great countenance*. In special he named Sir *John Borthwick*, commonly called *Captain Borthwick*, whom he had caused cite to that Diet for dispersing heretical books, and for maintaining divers Articles contrary to the doctrine of the *Romane Church*, desiring their assistance in the procedure of Justice against him. The heads of the accusation were read.

1. That he held the Pope to have no greater authority over Christians, then any other Bishop or Prelat had.
2. That Indulgences and Pardons granted by the Pope were of no force nor effect, but devised to abuse people, and deceive poor ignorant soules.
3. That Bishops, Priests, and other Clergy men, may lawfully marry.
4. That the heresies, commonly called *the heresies of England*, and their new *Liturgy* was commendable, and to be embraced of all Christians.
5. That the people of *Scotland* are blinded by their Clergy, and professed not the true faith.
6. That Churchmen ought not to enjoy any temporalities.
7. That the King ought to convert the rents of the Church into other pious uses.
8. That the Church of *Scotland* ought to be governed after the manner of the *English*.
9. That the Canons and Decrees of the Church were of no force, as being contrary to the law of God.
10. That the Orders of Friars and Monks should be abolished, as had been done in *England*.
11. That he did openly call the Pope *Simoniack*, for that he sold spiritual things.
12. That he did read heretical books, and the New Testament in *English*, and some other Treatises written by *Melanchthon*, *Oecolampadius*, and *Erasmus*, which he gave likewise unto others.
13. The last and greatest point was, that he refused to acknowledge the authority of the *Romane See*, or be subject thereunto.

Sir John Borthwick denounced heretick.

These accusations (he not appearing, nor any in his behalfe) were taken as confessed, and he denounced an *heretick*, yea an *heresiarch*, (for so the sentence beareth) his goods ordained to be confiscat, himself burnt *in effigie*, if he could not otherwise be apprehended, and all manner of persons inhibited to relieve or entertain him, under the pain of cursing or forfeiture.

An. 1540.

Acts of Mart.

This sentence was given against him the 28 of *May*, Anno 1540. and the same day was his picture burnt in the open Market place of *S. Andrews*, as likewise in *Edinburgh* some two dayes after. Sir *John Borthwick* hearing how they had proceeded against him, fled into *England*, where he was kindly received by *Henry* the eighth then reigning, and by him imployed in a Commission to the Protestant Princes in *Germany*, for a confederation betwixt him and them in defence of their common profession.

The King invited to meet his Uncle King Henry at York.

Buchan. l. 14. l. 9.

Holinshed his story of Scotland.

The Cardinal and Clergy seek to impede the meeting.

King *Henry* had some years before sent into *Scotland* the Bishop of *S. Davids* to present the King his Nephew with some *English* books, containing an Exposition of the principal heads of Christian Religion, thinking to induce him to make the like reformation which he had made in *England*. And at that time came Lord *William Howard*, to desire the King to meet his Uncle King *Henry* at *York*, upon some occasions tending to the common good of both Kingdomes. The King consenting a Diet was appointed, and all things prepared for the journey. But the Cardinal and Clergy fearing the effects of that conference, laboured with the Courtiers to divert him, and before the King himselfe they laid divers terrours; as, That he would be detained prisoner in *England*, as King *James* the first had been: That he

he should make himself suspected to the Emperour, and to his old confederate the French King: And, which he was most to regard, incur the Popes displeasure by treating too familiarly with him, that was lying under the highest censure of the Church. Yet stood the King resolute for the journey, foreseeing (as also it happened) that if he should break the Diet, the same might breed the English Kings dislike, and be an occasion of warre, on which he would not hazard, unlesse he knew of means to entertain the same. The Clergy hereupon besides the representation of some moneys in hand, made offer of an annuity of fifty thousand Crownes, if warre should fall out; declaring withall, that by confiscating the goods of hereticks, he might gain an hundred thousand more. And with such vain hopes they brought him to send a fair excuse to King Henry by Sir James Learmouth his domestick. After this the King being ruled wholly by the Cardinal, followed in all things the appetite of the Clergy, giving commission to Sir James Hamilton his Treasurer, to call and convene all persons suspected of heresie, and inflict the punishments, which after trial they should be found to merit. The King was also heard say, *That none of that sort should expect any favour at his hands, nay not his own sonnes, if they should prove guilty*; which put many in fear.

An. 1541.

The King excuseth himself to King Henry.

Sir James Hamilton executed.

The King troubled with visions.

History of the Church.

The Justice Clerk his fearful death.

But this continued not long, for Sir James Hamilton becoming suspected, and accused of a practice against the King his life, was shortly after executed; and warre breaking out with England, he found the Nobility averse from the incursions he intended to make, which did greatly discontent him. These thoughts, with some fearful visions he had by night that much terrified him, withdrew his mind wholly from the extremities on which the Clergy had set him: for at Linlithgow on a night as he slept, it seemed to him that Thomas Scot Justice Clerk came unto him with a company of devils; crying, *Woe worth the day that ever I knew thee or thy service, serving thee against God and against his servants, I am adjudged to hell torments*. Hereupon awaking, he called for lights, and causing his servants to arise, told what he had heard and seen. The next morrow by the light of day, advertisement was brought him of the Justice Clerk his death, which fell out just at the time that the King found himself so troubled, and in the same manner almost; for he died in great unquietnesse, iterating often these words; *Iusto Dei iudicio condemnatus sum*, by the righteous judgement of God I am condemned. The form of his death answering the dream so justly, made it the more terrible.

Another vision he had in the same place not many nights after, which did more affright him; whilst he lay a sleeping, he imagined that Sir James Hamilton, whom he caused to be executed, came unto him with a sword drawn in his hand, and therewith cut off both his Armes, threatening within a short time to return and deprive him of his life. With this he awaked, and as he lay musing what the dream could import, news were brought him of the death of his two sonnes, James and Arthur, who died at S. Andrews and Striveling, at one and the very same hour. The next year, which was the year of our Lord 1542. being overwhelmed with grief and passion, for the losse of his Army received at Solway; he departed this life at Falkland in the 32. year of his age. Some few dayes before he died, he had advertisement that his Queen was delivered of a daughter at Linlithgow, at which time it is said he burst forth in passion, saying, *It came with a lasse*, (meaning the Crown) and will go with a lasse, *hie upon it*; after which he was not heard to utter many words.

The King died at Falkland, An. 1542. the eighth of December.

The Cardinal forgoeth the Kings Testament.

Buchan. l. 15.

The Earl of Arran elected Governour.

The Cardinal hearing that the King was deceased, did suborn a Priest called Henry Balfour, to form his last Will, whereby it was declared, that he had committed to the Cardinal, the Earls of Huntley, Argyle, and Murray, the government of the Realm, during his daughters minority. This Will he caused publish in Edinburgh on the Monday after the Kings death, but the Nobles giving it no credit, and esteeming it a meer forgery, did choose the Earle of Arran Regent and Governour of the Realme. Never was any Governour received with greater love and opinion of all sorts; for besides the favour carried to himselfe, every one was glad to be freed of the Cardinals Government; and by his first beginnings a strong hope was conceived, that all things should be reformed which were amisse both in Church and

An. 1542. and Kingdome. But this hope soon vanished, in the manner that ye shall hear.

The King of
England seek-
eth to unite the
Kingdomes by
marriage.

Buchan. l. 15.

King *Henry* of *England* hearing that his Nephew the King of *Scots* was dead, and that he had left one only daughter of seven dayes old, began to think of uniting the two Kingdomes, and reducing the whole Isle under one Government, by the marriage of *Edward* his son, a Prince of five years old, to the young Queen of *Scots*. Hereupon he sent for the Earls of *Cassils* and *Glancarne*, the Lords of *Fleming*, *Maxwell*, and *Gray*. (who were taken prisoners at *Solway*, and detained in *England*) to *Hampton* Court, where he then lay; and at their coming proponed the businesse unto them, with an offer to dimit them freely, so as they would promise to use their best means with the Governour, and others of the Nobility of *Scotland*, for obtaining their consents to the Match. The Noblemen liking the motion, and esteeming it a ready means to establish a lasting Peace, gave their promise to deal faithfully in it, and so were sent home with many liberal promises, if the marriage should take effect. In their company returned the Earl of *Angus*, and his brother Sir *George*, (who had been exiled a long time in *England*) with letters to the Governour from the King for their restitution.

A Parliament
at *Edinburgh*.

L. 10.

The Cardinal
committed.
Ambassadors
sent into *Eng-*
land for con-
cluding the
match.

Euchan. l. 15.

The history of
the Church.

The matter being moved to the Governour, and Councel, it was liked by all, the Queen-mother and the Cardinal only excepted: and for this a Parliament was called at *Edinburgh* the 13. of *March* following, whither came Sir *Ralph Sadler* as Ambassadour from King *Henry*, to attend the successe. In the beginning a great stirre was made by the Cardinal and Clergy that adhered to him, so as the Estates could come to no conclusion, whereupon the Cardinal was committed in the Castle of *Dalkeith*. The day following by an uniform consent, the Match was agreed, and the Earl of *Glancarne*, Sir *George Douglas*, brother to the Earl of *Angus*, Sir *William Hamilton* of *Forne*, and Sir *James Learmouth* of *Derfay*, imployed by the Estates to transact with King *Henry* upon all particulars.

The Govern-
ours Preach-
ers suspected
by the Clergy.

In this Parliament upon a petition presented to the Estates for restraining the power of the Prelates in pursuing those they called hereticks, and for liberty to read the Scripture in the *English* language, Commission was granted to some selected persons for considering the petition, and prescribing what was fit to be done therein. The Commissioners meeting after the Parliament was broke up, declared, *That it should be lawful for every one that could read, to use the English Translation of the Bible, untill the Prelates should publish one more correct.* Intimation of this liberty being sent through all the Kingdome by the Governours direction, the Clergy did declaim against him as a favourer of hereticks, taking exception at two Preachers he entertained in his house, the one called Frier *William*, the other *John Rough*, who did openly in their Sermons inveigh against the Popes authority, the adoration of Images, invocation of Saints, and other superstitious inventions of *Rome*.

The Ambassa-
dors return
from *England*.

History of the
Church.

In the end of *July* the Ambassadors directed towards *England*, returned with satisfaction in all particulars concerning the marriage, and so the contract betwixt the two Kingdomes was signed by the Governour, and those whom the States had deputed for the part of *Scotland*, and by Sir *Ralph Sadler* Ambassadour for the part of *England*, and the Seales of the Kingdome interchanged, as use is. The Governour and *English* Ambassadour for the greater assurance, did solemnly sweare to observe the Contract in all Articles thereof, dividing the holy Sacrament amongst them, as the custome then was.

The estate of
the Governours
Court.

And now all matters lookt fair, no man wishing them to go better; for in the Governours Court was nothing seen, that the severest eye could censure, or reprove. In the publick Government such a moderation was kept, as no man was heard to complain. The Governour was reverently obeyed, and held in as great respect, as any Kings of preceding times. To be short, every man did promise himself a blessed and happy time; which on suddain all was overturned, and the Realm cast in greater troubles then before.

The Bishop
of *Ross*, and
Abbot of
Paisley, seek to
divert the
Governour
from the
Contract with
England.

John Hamilton Abbot of *Paisley* base brother to the Governour, and *David Panter* (afterwards removed to the Bishoprick of *Ross*) who had lived a long time in *France*; returning about this time into the countrey, and being devoted to the *French*, dealt privately with the Governour, who was of an easie nature, and apt

to be taken by those he trusted to break the contract with *England*. But having small hope to prevaile, so long as the Preachers and Gentlemen, whose counsel he followed, remained with him, they used all means to be rid of them; Frier *Guilielm* fearing to be called in question for his doctrine, (at which the Abbot was ever excepting) withdrew himself and went into *England*; *John Rough* upon some colour was dimitted to preach in the parts of *Kile* and *Carrick*; The Laird of *Grainge*, Master *Henry Balnaves*, Master *Thomas Ballenden*, and Sir *David Lindsay* of the *Mout*, who had attended the Governour ever since the time of his promoting to the Regency, had such discontents given them, as they were made too weary of their attendance; and the meaner sort, such as Mr. *Michael Durham*, Mr. *David Borthwick*, *David Forres*, and *David Botbwell*, men that had served him faithfully and of a long time, were openly menaced, and forced to quit their services.

Neither was the Cardinal in this time idle, for being by the Queens intercession removed from *Dalkeith* to the place of *Seaton*, he went from thence without warrant to *S. Andrews*, none calling him therefore in question; for the Governours brother, who was then preferred to be Theasurer, and ruled all things at Court, made up a secret friendship with him. Shortly after in a frequent meeting of the Clergy at *S. Andrews*, the Cardinal laying before them the dangers wherewith the Clergy was threatened by the Match with *England*, did earnestly incite them to oppose it, and contribute moneys, and imploy all their friendship to the contrary, seeing it concerned them no lesse then their lives or estates were worth. They making no difficulty, and offering to contribute all their means to that effect, appointed a present collection to be made, which was trusted to his disposing. The Friers were directed to inveigh in their Sermons against their alliance, and the Priests set on to stirre up the popular against the Ambassadour, who had many indignities offered him, which he patiently digested, lest he should be thought to minister any occasion of breach.

How soon the day appointed for delivering the pledges was come (for that was a condition in the contract) the Ambassadour went unto the Governour, and put him in mind of the pledges, that by the contract he was obliged to enter: complaining withall of the disgraces that he and his Master the King of *England* received. The Governour answering first his complaint of the insolencies committed, said, *He should take trial, and punish the committers in such sort, as all might see what affection he bore to the King and Countrey of England. But for the pledges, he said, I can neither move them to enter willingly, nor force them if they be unwilling. For you see what a mutiny is raised in the countrey by the Cardinal, and how uncertain I am of mine own estate; Till this be quieted, I know not in that point what to answer.* The Ambassadour who understood that to be truth which he spoke, forbore to urge the delivery of the pledges any more, saying he would advertise his Master how the case stood, and attend his directions. Soon after the Ambassadour was recalled, the *Scots* ships and Merchants that were in *England*, arrested, and open warre denounced.

The countrey hereupon drew into factions. The Governour and some few Noblemen that abode with him at *Halirudhouse*, professing a willingnesse to keep the contract with *England*, and Queen mother with the Cardinal and his followers, directly opposing. They having the young Queen in their hands, whom they kept still at *Linlithgow*, to strengthen their party, sent to recall the Earl of *Lenox* (who lived then in *France*) for the old emulation between the two houses of *Lenox* and *Hamilton*, as also the slaughter of his Father in the field of *Linlithgow*, which he could not have forgotten, would easily (as they thought) move him to joyn with them. Besides, they considered that his presence and friendship, which was great in the countrey, would aid and countenance their course not a little. Hereupon were messengers dispatched in haste, with letters to the *French* King, and to the Earl himself. The letters writen to himsele were full of affection, and therein hopes given of his Match with the Queen mother, and of the Regencie of the Realme, during her daughters minority. And (as flatterers are never wanting to great men) there were some about him, when they understood that he was called home, put him in hope of the Crown it self, if the young Queen should happen to depart this

H

life.

An. 1542.

The Governours Preachers and servants part from him.

History of the Church.

The Cardinal set at liberty.

A Convention of the Clergy at *S. Andrews*.

Buchan. l. 1 §,

The Ambassadour of *England* complaineth of the indignity offered to him.

The Governours excuse. *Buchan. l. 1 §.*

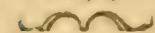
Warre denounced by *England*.

The countrey goeth into factions.

The Earle of *Lenox* recalled from *France*.

Buchan. l. 1 §.

An. 1542.



The Earle of
Lenox wel-
comed by the
Queen-mother
and the Cardi-
nal.

The young
Queen remo-
ved to *Striv-
ling*.

The Governour
forleaketh his
party, and
receiveth abso-
lution from the
Cardinal.

Buchan. l. 15.

The Cardinals
care to be rid
of the Earle of
Lenox.

Buchan. l. 15.

The Earle of
Lenox finding
himself abused,
goeth to Eng-
land.

The persecuti-
on of the
professors in
Perth.

life. For the late King was known to have intended the same, and the Governours title, they said, would trie nought, himselfe being illegitimate, and procreated in an unlawful marriage, upon a divorce led between his Father and Dame *Elizabeth Home* his wife, which made him uncapable not of the Crown only, but even of his private inheritance. With such conceipts they filled the young Noblemans head, and (as men are made easily to believe what they earnestly desire) encouraged by these hopes, and the *French Kings* promises, he returned home.

At his coming having saluted the Governour, with whom he dissembled in the best sort he could, and visiting the Queen-mother and Cardinal at *Linlithgow*, who did very kindly receive him, he went to see his friends, and imparted to them the causes of his return, with the hopes that were given him, and the promise he had of aid and supply from the King of *France*. They approving the course he had taken, advised him to follow his fortune, and promised their assistance to the uttermost. A few dayes after being advertised, that the Governour was gathering forces to take the young Queen from her Mother, he came to the Queen-mother with four thousand men, and abode with her, till by a common consent her daughter was sent to *Striveling*, and committed to the custody of the Lords, *Grahame*, *Areskin*, *Levingston*, and *Lindsay*.

Mean while the Governours brother did earnestly ply him to relinquish the *English* alliance, laying before him the danger wherein he thrust himself, in suffering the Popes authority to be weakned, on which he said, the security of his title and succession to the Crown did stand; and giving him hopes of benefit, and advancement from the *French King*: and so farre in end prevailed, as the Governour without imparting his mind to the Noblemen, who kept Court with him at *Halirudhouse*, went privately to *Striveling*, and submitted himself to the Cardinal, receiving absolution at his hands, and renouncing the profession he made of the truth, with the alliance contracted with *England*. A deed that lost him the favour of the countrey, and brought him in great contempt; for after this fact was he never in regard, the Cardinal from thenceforth carrying all the sway, and leaving him only the shadow of authority.

This done, the Cardinals next care was, to rid the Court and the Council of the Earle of *Lenox*, which was brought about in this sort. Queen-mother by her letters to the *French King* did advertise what an alteration was made, how the Governour was brought by the Cardinals means to break with *England*, and that for assuring the peace of the countrey, there was nothing more required, then the calling the Earle of *Lenox* back under some fair colour, for that his stay at home might prove dangerous, and a suspicion there was already of his inclining to *England*, which might breed greater troubles then yet had been seen, therefore intreated the King to recall him with speed.

The Nobleman suspecting no such dealing (for all that time he was used with great demonstrations of love and kindnesse by the Queen-mother) began to urge the performance of promises, and had his hopes cunningly entertained, till the answer returned from *France*; at which time he was advertised by some friends in that Court, that the *French King* was hardly informed of him, and some courses he had taken, and howbeit he was invited to return, he should not find the welcome he expected. This made him more instant with Queen-mother then before, but it was not long ere he felt himself deluded; whereupon he retired home discontent, and laid many wayes to repair himself, but all sorted to no effect; so as he resolved in end, having lost the *French*, to offer his service to the King of *England*, by whom he was kindly received, and afterwards honoured with the alliance of King *Henry* his Neece, Lady *Margaret Douglas*.

How soon the Cardinal was freed of the Earle of *Lenox*, he set himself to pursue those that were called *hereticks*, and leading the Governour along with him, went first to the Town of *Perth*, where by delation of one *Frier Spence*, *Robert Lamb*, *William Anderson*, *James Rannald*, *James Hunter*, *James Fintason*, and *Hellene Stirk* his wife, were apprehended.

Robert Lamb being accused for interrupting the said *Frier* in a Sermon he made at

Perth

Perth, whilest he was teaching, that a man could not be saved without praying to the Saints, confessed that he had done it, saying, *It was the duty of every man that knoweth the truth, to bear testimony unto it, and not to suffer people to be abused with false doctrine, such as that was.* An. 1542.

William Anderson, James Rannald, and James Finlason, were indited for nailing two Rams horns on S. Francis head, the putting of a Cowes rump to his tail, and for the eating of a Goose upon All-hallow evening.

James Hunter a Fletcher by occupation, and a simple man without any learning, was charged to have kept company with the said persons.

The woman Helene Stirke, was accused for her refusing to pray unto the Virgin Mary, when she was in labour of her birth, and saying, she would only pray to God in the name of Jesus Christ.

These were the inditelements whereupon they were put to trial, and being found guilty by a Jury, were condemned to die; great intercession was made for their lives to the Governour, but he was so subject to the Cardinal, as without his consent he would give no pardon. Thus the poor innocents were taken to the common place of execution, and hanged; Robert Lamb at the foot of the Ladder made a pithy exhortation to the people, beseeching them to fear God, and forsake the Leaven of Papistical abominations. The woman desired earnestly to die with her husband, but could not be permitted, sentence being given against her that she should be drowned; yet she followed him to the place of execution, exhorting him by the way to patience and constancy for the cause of Christ. And as she parted from him said, *Husband be glad, we have lived together many joyfull dayes, and this day which we must die, we ought to esteem the most joyfull of all, because now we shall have joy for ever; Therefore I will not bid you good night, for we shall shortly meet in the Kingdom of heaven.* How soon the men were executed, the woman was taken to a pool of water not farre of, where having commended her children to the charity of her neighbours, and giving a little babe who was sucking upon her breast unto a nurse, she died with great courage and comfort.

Sir Henry Elder, John Elder, Walter Piper, and Laurence Puller, with some other Burgeses were banished. and the Lord Ruthven Provost of the Town discharged of his office, because he was suspected to favour the hereticks; his place was given to John Charterhouse of Kilfawnes, and the Citizens commanded to accept him for their Provost; but they excused themselves, saying, they could make no election before the ordinary time; yet the Governour out of his authority charged them to accept of Kinfawnes, threatening to punish those that refused. And for that it was thought after the Governour and Cardinal was gone, that the Townesmen should withstand their Provost, the Lord Gray, and Normand Lesley, son to the Earl of Rothes, were desired to give their assistance.

In falling out as was expected, Kinfawnes convened his friends, to advise how the Townesmen might be forced to obey. The Lord Gray undertaking to enter the Town by the Bridge, Normand Lesley and his followers were appointed to enter at the South-gate, and S. Magdalen's day appointed for their meeting. The Lord Gray came early in the morning, but Normand who brought his company by water, was hindred by the tide; yet all being quiet in the Town, and no appearance of stirre, the Lord Gray resolved to enter, esteeming his own forces sufficient; but he was not farre advanced, when in the street called Fishstreet, the Master of Ruthven, with his company that lay close in some houses near by, issued forth upon him, and compelled him to turn back. The disorder in the fight was great, every one hindering another, so as many were trod to death, and some threescore persons killed.

The Cardinal wished rather the losse had fallen on the Lord Ruthvens side, yet he was not ill pleased with the affront that Gray had received; for he loved none of them; and so making no great account of the matter, he went on with his work, and in the countrey of Angus called many in question for reading the New Testament in English, which as then was accounted an hainous crime. And it is said, "The ignorance of these times was so great, as even the Priests did think the New

The indite-
ment of the
persons dela-
ted.

They are
found guilty,
and their beha-
viour at their
suffering.

Burgeses exi-
led, and the
Lord Ruthven
put from his
Provostry.

Kinfawne ele-
cted Provost,
seeketh to
force the town
to obedience.

Buchan. l. 15.

The Lord
Gray invading
Perth is repul-
sed.

The Cardinals
proceeding
against the
Professors in
Angus and
Meinis.

Buchan. l. 15.

An. 1544. Testament to have been composed by *Martin Luther*, and the old to be the only Scripture that men ought to read.

Roger a black Frier, imprisoned at *Saint Andrews*.

An. 1544.

The history of Mr. *George Wishart*.

Wishart discharged from preaching at *Dundy*.

History of the Church.

He goeth to the West, where the Archbishop of *Glasgow* seeketh to apprehend him.

John Roger a black Frier, with certain others, was brought to the Castle of *Saint Andrews*, and within some few dayes found dead at the foot of the back wall: whether he fell seeking to escape, or that he was murdered (as the report went) in prison, it is uncertain. From *Angus* the Cardinal leading the Governour with him, went to *Mernis*, using the like inquisition, and stayed there till near *Christmas*; at which time they returned to *S. Andrews*, and having past the holy time in feasting, took journey to *Edinburgh*, where a Convention of the Clergy was kept for censuring the lives of scandalous Priests.

Whilest they were thus busied, advertisement was made to the Cardinal, that Master *George Wishart*, for whom he had searched a long time, was in the house of *Ormeiston* in *Lothian*. This man being of all the witnesses that God raised in that time to advance his truth, the most worthy; the Reader will not mislike that I set down the story at large. He was a brother of the house of *Pittarrow* in *Mernis*, a man of great knowledge, and pleasant utterance, indued also with many rare vertues; humble, modest, charitable, and patient even to admiration; some time he had spent in the University of *Cambridge*, and out of a desire to promote the truth in his own countrey, came home in the year 1544. making his chief resorts in the Towns of *Dundy*, and *Montross*, where he taught publickly with great profit and applause.

The Cardinal incensed with the following he had among the people, discharged them of *Dundy* to receive him. Whereupon *Robert Mill*, a man of great authority in the Town, either corrupted by the Cardinals gifts, or because he feared some trouble might fall upon the Town for his occasion, did one day as he had ended his Sermon, openly prohibit him to come any more amongst them, and not to trouble the Town with his Sermons. He after a little silence turning himselfe to the speaker, said, *God is my witnesse, that I minde ever your comfort, and not your trouble, which to me is more grievous then to your selves. But sure I am, to reject the word of God, and drive away his messengers, is not the way to save you from trouble. When I am gone, God will send you messengers, who will not be afraid either for burning or banishment. I have with the hazard of my life remained amongst you preaching the word of salvation; and now since your selves refuse me, I must leave my innocency to be declared by God. If it be long well with you, I am not led with the spirit of truth; and if trouble unexpected fall upon you, remember this is the cause, and turn to God by repentance, for he is merciful.* The Earle Marshal and some other Noblemen, who were present at the Sermon, dealt earnestly with him to go with them into the North, but he excusing himselfe, took journey into the West parts.

He had not been long there, when the Archbishop of *Glasgow* advertised of the great concourse of people unto his Sermons, took purpose to apprehend him, and for that effect made a journey unto the Town of *Aire*. *Alexander Earle of Glaincarne*, hearing what the Bishop intended, hasted to the Town, offering to place Master *George Wishart* in the Church where the Bishop was preparing to preach; but he would not consent, saying, that the Bishops Sermon would not do much hurt, and that he would teach, if they pleased, at the Market Crosse; which he did, divers of the hearers which were enemies to the truth, being converted at the same time. The Sunday following, being desired to preach at the Church of *Machlin*, he went thither, but the Sheriffe of *Aire* had in the night time put in a Garison of souldiers in the Church to exclude him; *Hugh Campbell* of *Kingzeacleugh* with others of the Parish offending thereat, would have entered the Church by force, but he would not suffer it, saying, *It is the word of peace that I preach unto you, the blood of no man shall be shed for it this day; Christ is as mighty in the fields as in the Church, and he himselfe when he lived in the flesh, preached oftner in the Desert and upon the Sea-side, then in the Temple of Ierusalem.* So walking along to the edge of the *More* on the South-side of *Machlin* he preached to the multitude that flocked about him three houres and above: and all the while he abode in those parts, taught daily with good successe.

After

After a moneths stay in these quarters, he was advertised of a great desolation in the town of *Dundy* by reason of the pestilence, which brake up in it the fourth day after he left the Town. This moved him to return, and on the next morrow after his coming, he gave signification that he would preach; but because the sicknesse which had consumed a great many people, was still raging in the Town, he choosed to preach upon the head of the East-gate, the infected persons standing without the gate, and those that were free within. His Theam was the 20. verse of the 107. Psalme; *He sent his word and healed them, and delivered them from their destruction.* Thereupon taking occasion to speak of the dignity and excellency of the word of God, and the punishments that follow the contempt of the same, as also of the mercies of God, and his readinesse to pardon those that truly turn unto him, with the happy estate of such as God taketh to himselfe out of this misery; so he comforted the people, as they were instant to have him stay with them, judging themselves happy if they should die assisted with such a Preacher. Neither did he forsake them all the time the plague continued, and not suffering the poor who were destitute of means, to lack any necessary helps more then the rich.

An. 1544.

Wishart returneth to Dundy, the pestilence there raging.

It happened whilest he stayed there, that a Priest called Sir *John Weighon*, having a purpose to kill him, as he descended from the place where he used to preach, was apprehended with a weapon in his hand; a Tumult thereupon raised, the sick without the Gate rushed in, crying to have the murtherer delivered to them. But he taking the Priest in his Armes, besought them to be quiet, saying, *He hath done no harm, only he hath shewed us what we have to fear in time coming:* and so saved the wicked man by his intercession.

A Priest apprehended that intended to kill him.

History of the Church.

The plague decreasing he prepared to go to *Edinburgh*, where he had promised to meet the Gentlemen of the West, that resolved at his parting from them to keep the Convocation, and offer dispute to the Clergy, yet because he had not seen the people of *Montrosse* of a long time, and was doubtful if ever he should return, he determined first to go thither. Whilest he remained there, a letter was directed to him from the Lord of *Kinneir* in *Fife*, advertising him that he had taken a suddain sicknesse, and requesting him to come unto him with diligence. He presently made to the journey, accompanied with some honest Citizens, that would needs convey him part of the way, and was not past a quarter of a mile, when on the suddain he made a stay, saying to the company, *I am forbidden of God to go this journey: will some of you be pleased to ride to yonder place* (pointing with his finger to a little hill) *and see what you finde for I apprehend there is a plot against my life.* So turning back to the Town, they who went forward to the place, found some threescore horsemen laid to intercept them; whereby he understood the letter to be counterfeited. They declaring at their return what they had seen, he said, *I know I shall end my life in the hands of that man,* (meaning the Cardinal) *but it will not be after this manner.*

He visiteth *Montrosse*.

A plot of the Cardinals for his intercepting, and his wonderfull escape.

History of the Church.

Some two or three dayes after he made to his journey, and would not be dissuaded by the Laird of *Dun*, and others who laboured to have him stay. The first night he lodged at *Inner-gowry*, two miles from *Dundy*, with an honest man called *James Watson*; where being laid in bed, he was observed to rise a little after midnight, and go forth into a garden: There, after he had walked a turn or two, he fell upon his knees, sending forth many sighs and grones; then prostrating himselfe upon the ground, he lay in that sort almost an hour, weeping and praying, and then returned to his rest. *William Spaldin* and *John Watson*, who lay in the same chamber, and had followed to see whither he went, began to ask him, as if they had known nothing, where he had been; whereunto he made no answer: in the morning inquiring of new wherefore he rose in the night, & what was the cause of such mourning (for they told him all they had seen him do) he with a dejected countenance, answered, *I wish you had been in your beds, which had been more for your ease, for I was scarce well occupied.* But they praying him to satisfie their minds further, and to communicate some comfort unto them, he said, *I will tell you, that I assuredly know my travell is nigh at an end, therefore pray to God for me, that I shrink not when the battel waxeth most hot.* Hearing these words, they burst forth in tears, and said it was to them a

His journey to *Edinburgh*, and what befell him in the way.

History of the Church.

An. 1545.



small comfort: whereunto he replied, *God will send you comfort after me, this Realme shall be illuminated with the light of Christs Gospel, as clearly as ever was any Realme since the dayes of the Apostles. The house of God shall be built in it; yea it shall not lack (whatsoever the enemies shall devise to the contrary) the very Capstone: neither shall this be long in doing, for there shall not many suffer after me. The glory of God shall appear, and truth shall once triumph in despite of the Devil. But alas, if the people become unthankful, the plagues and punishments which shall follow, will be fearful and terrible.*

With out preach-
eth at Leith.

This said, he address'd himselfe to the way, and went that night to *Perth*, the next day he came to *Leith*, where he kept himselfe close, expecting some advertisement from the Gentlemen of the West; no advertisement coming, he waxed heavy and sorrowful, and being askt, what made him so heavy? he said, *I have laboured to bring people out of darknesse, but now I lurk as a man ashamed to shew himselfe before men.* They perceiving his desire was to preach, answered, that they would gladly hear him, but considering the danger he might fall into, they could not advise him to do it; he replied, *If you and others will hear me the next Sunday, I shall preach in Leith; (let God provide for me as best please him)* Which he did, taking for his text the Parable of the Sower, out of the 13. Chapter of *S. Matthews Gospel*.

He goeth to
East Lothian,
and preacheth
at Haddington.

Having ended his Sermon, he was by the Gentlemen his auditors counsell'd to leave the Town (for they held his abode in that place dangerous:) which advice he followed, remaining some time with the Laird of *Brunston*, and sometime with the Laird of *Languedry* and *Ormeston*; yet every Sunday in one Church or other he taught openly, unto the time of his apprehension. The last Sermon he made was at *Haddington*, where he received from the Gentlemen of the West a letter, declaring they could not keep the Diet appointed at *Edinburgh*: which grieved him so much, as calling *John Knox* (who then attended him) he said, *I am weary of the world, since I perceive men too weary of God*; yet he went to the Pulpit, and rebuking the people of that Town for the contempt of the Gospel, told them, that *strangers should pisse their houses, and chase them from their habitations*; which came shortly to passe. In that Sermon as he had alwayes done since his last coming into *Lothian*, he spake of the short time he had to live, and told that his death was more nigh, then they did beleieve. All that night he stay'd in *Haddington*, and the next morning bidding those of his acquaintance farewell, as it were for ever, he went on foot to *Ormeston*, (for the frost was vehement) accompanied with the Laird of the place, *John Sandelands* of *Caulder*, and *Chreichton* of *Brunston*. *John Knox* was desirous to have gone with him, but he willed him to go back, saying, *One is enough at this time for a sacrifice.*

He goeth to
Ormeston, and
dimitteth *John
Knox*.

There he is
apprehended
and delivered
to the Earle
Bothwell upon
promise.

History of the
Church.

When they had supped, he fell in a long discourse of the happy estate of Gods children, and having ended that purpose, said he had a desire to sleep, but first appointed the 51. Psalme to be sung; which done, he went to bed. About midnight the house was belayed with horsemen, that the Governour sent to take him prisoner. The Laird refusing to deliver him, and thinking to get him shifted, the Earle *Bothwell* Sheriffe of the County came, and he required he should be put in his hand, upon promise that his life should be safe, and that it should not be in the Cardinals power to do him any hurt. The Laird reporting this to Mr. *George*, he requested him to open the gate, saying, *The blessed will of God be done.* So the Earle entered the house, to whom Mr. *George* said, *My Lord, I praise God that so honourable a man as you are doth receive me this night, in the presence of these Noble men; For I am assured your Honour will not permit any thing to be done unto me against the Order of the law; I am not ignorant that all the law which they who seek my life use, is nothing but a corruption, and a Cloake to shed the blood of Gods Saints: yet I less fear to die openly, then to be murdered in secret.* The Earle answered, "I shall not only preserve your body
" from violence; if any be intended against you, but I will promise you on my ho-
" nour in the presence of these Gentlemen, That neither the Governour nor
" Cardinal shall be able to harme you, and that I shall keep you in my own power
" till either I make you free, or bring you back to the place where now I re-
" ceive you.

Upon

Upon this promise was he delivered and put in the Earles hands, who departed with him to *Elphinston*, where the Cardinal was attending the successe; it being told him that young *Calder* and *Brunston* were with the Laird of *Ormeiston*, he sent to apprehend them, but *Brunston* escaped to the wood, the other two were committed to the Castle of *Edinburgh*, and thither was Mr. *George* first carried, and afterwards brought back to the house of *Hales*, (the Earls principal house in *Lothian*) but Queen Mother at the Cardinals desire, being earnest with the Earle to have sent him again to the Castle of *Edinburgh*, albeit in regard of his promise he refused a long time, yet overcome in end by her intreaty, he yielded; So was Mr. *George* of new taken to the Castle, and after a short stay there, conveyed to *S. Andrews*, where he remained prisoner unto the day of his suffering.

The Cardinal not thinking it expedient to delay his trial, wrote to the Prelates to meet at *S. Andrews* the 27. of *February*. The Archbishop of *Glasgow*, at his coming, gave advice to seek a Commission from the Governour to some man of quality, that might execute Justice, lest all the burthen should lie upon them; whereunto the Cardinal agreed, supposing the Governour would make no scruple in the matter; nor had he made any, if *David Hamilton* of *Preston* knowing what was sought, had not seriously dissuaded him, advising him rather to use his power in the defence of Gods servants, then to arm their adversaries with his authority. For it is marvelled, said he, that you should give such liberty to wicked and godlesse men, thus to oppresse poor innocents, unto whose charge no crime is laid; onely they are accused for preaching the Gospel of Christ, which your selfe not long since openly professed, and exhorted others to professe, promising by your authority to maintain the same. The opinion which men had of your affection to the truth, was that which chiefly procured your advancement to the place you now hold in the Realm; and now consider what are mens thoughts and speeches of your proceedings, or rather what a fearful unthankfulness it is on your part to Almighty God, who hath bestowed upon you so many blessings. You are rid of your neighbours at home (who envied your honour) without blood and slaughter; you have lately reported victory of the forain enemy that was stronger by much then your selfe, and now will you persecute Gods servants for the pleasure of flagitious men, who neither can hide their wickedness, nor have care to dissemble it? Remember how suddenly the late King was taken away, when he followed these courses which now you run. They who by their perverse counsels wrought his undoing, are leading you on to the same destruction. At the first they were your open enemies, and resisted your promotion to the government with all their might but now I know not how they have snared you by their malicious devices. Think upon King *Saul*, who was exalted by God from a mean estate to be King of *Israel*; so long as he obeyed the word of God, he prospered, but how soon he grew disobedient, he became miserable. Compare the successe you have had in your affairs with his prosperity, and you will find it not unlike; and of this you may be assured, that except you take another course, your end shall be no better then his, perhaps worse: wherefore be wise, and suffer not your selfe to be led any more by the counsels of wicked men, neither let poor innocents at their appetites be thus cruelly murdered.

The Governour moved with these speeches, did answer the Cardinal, "That he should do well not to precipitate the mans trial, but to delay it untill his coming; for as to himselfe he would not consent to his death before the cause were well examined; and if the Cardinal should do otherwise, he would make protestation that the mans blood should be required at his hands. This answer grieved the Cardinal not a little, for he knew that the delay would work the prisoners escape, and to commit the cause to examination, he saw it was more dangerous. Therefore in a great passion he replied, "That he wrote not unto the Governour, as though he depended in any matter upon his authority, but out of a desire he had that the hereticks condemnation might proceed with a shew of publick consent, which since he could not obtain, he would be doing himselfe that which he held most fitting.

Thus he made a citation to be given forth, and Master *George* to be charged to appear the next morrow, to answer for his seditious and heretical doctrine. Master *George* receiving the summons, said, *The Cardinal hath no need to summon me, for I am in*

An. 1545.

The Lairds of *Calder* and *Ormeiston* committed.

Wishart carried to *S. Andrews*.

The Cardinal sends to the Governour for a Commission.

David Hamilton of *Preston* dissuadeth the Governour.

Buchan. l. 15.

The Governour desires the Cardinal to deferre the trial.

A citation for his appearance.

his

An. 1545.

History of the
Church.At his trial the
Sub-prior
preacheth.

his hands, and kept fast in irons, so as he may compell me to answer at what time he pleaseth. But to manifest, saith he, what men you are, it is well done to keep your formes and constitutions. The next day the Cardinal and Prelates being met in the Abbey Church, the prisoner was presented by the Captain of the Castle, and then the Sub-prior called Master John Winname, a man of good learning, and one who secretly favoured the truth, went up into the Pulpit as he had been enjoined; he took for his Theam the words of our Saviour in the thirteenth of *Matthewes* Gospel, concerning the good seed, which he interpreted to be the word of God; heresie he said was the ill seed, and that he defined to be, a false opinion fighting directly against the word, and defended with pertinacie. Thereafter falling to speak of the causes of heresie, he said the main cause was, the ignorance and negligence of those who had the cure of soules, and neither understood the word of God, nor could use the same to the convincing of false teachers, and the reducing of those who were gone astray. In the latter part of his Sermon, speaking of the way how heresies should be discerned, he said, *That as the Goldsmith knoweth the fine gold from the counterfeit by the touchstone, so is heresie discerned by the true, sincere, and undefiled word of God.* And in the end concluded, *that hereticks ought to be punished, and might lawfully be put to death by the Magistrate.*

He is accused
by Master John
Lawder a
Priest.

Buch. n. l. 15.

His answer.

Now albeit that was said made directly against themselves, who were there met, not to confute heresie, but to bear down the truth, and punish those that found fault with their pride and licentiousnesse; yet as all had been spoken for them they proceeded, and after their wonted form, placed Mr. George in a seat erected for that purpose, and over against him, Master John Lawder a Priest in another, who having a scroll of a paper in his hand, containing the Articles laid unto Mr. George his charge, did use many bitter and reproachful words; all which he heard very patiently, not moving or changing once his countenance. Being required to answer, before he would utter a word, he bowed his knees, and made his prayer to God; then standing up, intreating them in most humble manner, to suffer him repeat the summe of the doctrine which he had taught since his coming into *Scotland*: which he said, was nothing but what the ten Commandements of God, the 12. Articles of Christian faith, and the Lords prayer contained. In *Dundy* he said, that he had preached a part of the Epistle to the *Romanes*. And as he was going on, to shew what form he kept in his preaching, he was interrupted by the accuser, who with many opprobrious speeches calling him an heretick, a runnegate, a traitour and thief, said that it was not lawful for him to preach, and that he had usurped the power at his own hand, without any lawful calling of the Church. The Prelates also prohibiting all discourses willed him to answer simply, yea, or nay; fearing if liberty was given him to speak, he should draw some of the hearers to his mind.

Mr. George
wihout his
appellation.

Mr. George perceiving that he could not have audience, appealed to an equal and indifferent Judge. Whereunto Lawder replied, that the Cardinal was a more then sufficient Judge for him: and then he reckoned out all his styles, saying, that he was Archbishop of *S. Andrews*, Bishop of *Meropois*, Chancellour of *Scotland*, Commandatory of *Aberbrothock*; *Legatus natus*, *legatus à latere*, and the second person within the Realm. Mr. George calmly answered, *I do not condemn my Lord Cardinal, but I desire the word of God to be my Judge, and some of the Temporal estate, with certain of your Lordships here present, because I am my Lord Governours prisoner.* At which words some foolish people that stood by cried out, *Such man, such Judge*; meaning that the Governour, and others of the Temporal State, were hereticks like unto himself.

Sentence of
death pronoun-
ced against
him.

Then would the Cardinal have pronounced sentence without any further process, but being advertised to let the accusation be read, and hear what he would say, lest people should think him wrongfully condemned; he commanded the Priest to read the points distinctly, and receive his answer to every one of them severally. The Articles laid to his charge were eighteen in number, which with the answers he made, the Reader may at his leisure see in the book of Martyrs. After they had spent some houres in this sort, sentence was pronounced against him, and he condemned to be burnt as an heretick. Then was he led back to the
Castle

Castle, and lodged in the Captains chamber that night, the greatest part whereof he spent in prayer. *An. 1545.*

Early in the morning the Prelates sent two Friars to advertise him that he must die, and askt if he would confesse himself: he answered, *That he had no businesse with Friars, nor would he willingly conferre with them, but if they were disposed to gratify him in that sort, he desired to speak with the learned man that preached the day before.* This being permitted, the Sub-prior came, and talked with him a good space: At last he askt Mr George if he would receive the Sacrament of the Lords Supper: he answered, *Most willingly, so I may have it ministred according to Christs institution, under both kindes of bread and wine.* Hereupon the Sub-prior went to the Bishops, and told that he had conferred with the prisoner, who did solemnly affirm that he was free of all the crimes, and that he did utter this not out of a desire he had of life, but to manifest his innocency (which was known to God) before men. The Cardinal offended with these speeches of the Sub-prior, said, It is a long time since we knew what a man thou art. The Sub-prior answering nothing, asked if they would permit the Sacrament to be given to the prisoner: the Cardinal conferring with the rest of the Bishops a while, answered in all their names, That it was not reasonable to give any spiritual benefit, to an obstinate heretick condemned by the Church.

When Master George heard that the Sacrament was denied him, being asked by the Captain of the Castle, going then to breakfast, if he would take a part with him, he answered, *Very willingly, and so much the rather because I perceive you to be a good Christian, and a man fearing God.* Then turning himself to the Captain, he said, *I beseech you in the name of God, and for the love you bear to our Saviour Jesus Christ, to be silent a little while, till I have made a short exhortation, and blessed this bread which we are to eat, so that I may bid you farewell.* The table being covered, and bread according to the custome set upon it, he spake about the space of an half hour, of the institution of the Supper, and of our Saviours death and passion, exhorting those that were present to mutual love, and to the leading of an holy life, such as becometh the members of Christ. Then giving thanks, he brake the bread, distributing to every one that was present a portion; likewise having tasted the wine, he delivered the cup unto them, exhorting them to remember with thankfulnesse the death of our Lord Jesus, in this his communion with them. *As to my self,* he said, *there is a more bitter potion prepared for me, only because I have preached the true doctrine of Christ, which bringeth salvation, but pray you the Lord with me that I may take it patiently, as out of his hand;* and so concluding with a new thanksgiving, he withdrew himself to his chamber.

Within a little space, two executioners came up unto him, one of whom appalled him in a black coat of linen, the other fastened some bags of powder upon all the parts of his body; and thus arrayed, he was brought to an utter room, where he was commanded to stay, till all things were prepared. A scaffold in the mean time erecting on the East part of the Castle towards the Abbey, with a great tree in the midst in manner of a gibbet, unto which the prisoner was to be tied; and right against it was all the munition of the Castle planted, if perhaps any should pres by violence to take him away. The fore Tower was hanged with Tapestry and rich Cushions laid for ease of the Cardinal and Prelates, who were to behold that spectacle. And when all things were made ready, he was led forth with his hands being tied behinde his back, and a number of souldiers guarding him to the place of execution. As he was going forth of the Castle gate, some poor creatures, who were lying there, did ask of him some almes for Gods sake, to whom he said, *I have not the use of any hands wherewith I should give you almes, but our merciful God, who out of his abundance feedeth all men, vouchsafe to give you the things which are necessary both for your bodies, and for your soules.* Afterwards two Friars met him, crying, *Master George pray to our Lady, that she may be mediatrix for you to her sonne:* to whom he said, *Cease, tempt me not my brethren.*

Being come to the place of execution, and gone up upon the scaffold, he turned himself towards the people, and besought them not to offend with the good word of God because of the torments they saw prepared for him, desiring them withall

Two Friars sent to confesse him.

The conference with the Sub-prior.

He communiceth with the Captain of the Castle.

Buchan. l. 15.

Two executioners lead him to the place of his suffering.

History of the Church.

His death and the manner of it, 2. Martii 1545.

An. 1546.

His prophetic
of the Cardinals
death.

Buchan. l. 15.

Prayers inhibited to be
made for him
after his death.The Priests
extoll the Cardinal.He contracted
his base daughter
to the heir
of Craford.

An. 1546.

Buchan. l. 15.

A conspiracy
against the
Cardinal.

to shew his brethren and sisters who had often heard him, that the doctrine he taught was no wives fables, but the true Gospel of Christ given him by the grace of God, which he was sent to preach, and for which he was then with a most glad heart and mind to give his life. *Some have falsely spoken*, said he, *that I should hold the opinion that the soules of men departed, sleep after their death untill the last day; but I know and believe the contrary, and am assured that my soul shall this night be with my Saviour in the heavens.* This said, he bowed his knees, and having conceived a short but most pithy prayer, he was tied to the stake, & then cried aloud, *O Saviour of the world, have mercy upon me; Father of heaven, I commend my spirit into thine holy hands.* The executioners having kindled the fire, the powder that was fastned to his body, blew up. The Captain of the Castle who stood near unto him, perceiving that he was yet alive, willed him to be of good courage, and commend his soul unto God; *This flame* (said he) *hath scorchted my body, yet hath it not daunted my spirit, but he who from yonder high place beholdeth us with such pride, shall within few dayes lye in the same as ignominiously, as now he is seen proudly to rest himself.* After which words, one of the tormentors drawing the cord that went about his neck, stopt his breath, so as he spake no more. The fire increasng, his body was quickly consumed unto ashes.

But the Cardinals malice not yet satisfied, caused the same night a Proclamation to be made through the City, that none should pray for the heretick under pain of the heaviest censures that could be inflicted. And then the Priests triumphing did in all meetings, extoll the Cardinal above the skies, saying, *That he not regarding the Governours authority, had by himself caused justice to be executed upon that heretick, and kithed a most worthy Patron of the Ecclesiastical estate.* If the Church, said they, *in former times had found such a Protector, matters had not been reduced to the doubtfull terms wherein now they stand; but long or this time by her own power and authority she had been able to maintain her self.* Such insolent speeches they were heard to utter in every place. The Cardinal himself also seemed to be greatly pleased with that which he had done, presuming it should keep all his enemies in fear; yet it proved the very rock on which he and all his fortunes perished: for the common sort of people exclaimed mightily against his cruelty, and some of good birth and quality did openly vow that the blood of Master George Wishart should be revenged, though they should give life for life: of which number, John Lesley brother to the Earle of Rothes, forbare not in all companies openly to avouch, that his hand and dagger should be the Cardinals Priests.

Nor was he ignorant of the general hatred carried unto him, and thereupon began to fortify himself with some strong alliance, which he shortly after made, contracting one of his base daughters to the Earle of Craford his sonne and heir. The Nuptials were performed with an exceeding pomp and magnificence. But he did not long enjoy the content he took in his Match, for Normand Lesley sonne to the Earle of Rothes, who had followed him a long time, and done him good services, having moved him in the behalf of some friends that were interessed by the restitution of the Laids of Cleish, Easter Weimes, and certain others who been forfeited in the late Kings time, was not answered as he expected; for which growing into a choler, and alledging the Cardinals promise in the businesse, he said, that he would not be deluded in that sort. The Cardinal, who had not been accustomed to such speeches, and thought he was not used with that respect which became, chafed mightily, so as after an unseemly altercation they parted in wrath.

This discord publickly rumoured, divers that hated the Cardinal (some for the cause of Religion, and some for other private respects) did reparaie to Normond, and working upon his passion, incensed him with their words, wondering how he could look for any good from him that was a man hated of God, and all good people. And as it falleth out in such conferences, whilest every man was recounting the injuries he had suffered in private, and talking of his violent courses, one amongst the rest said, that they should do God good service, and no small benefit to the countrey, to make an end of that vitious and ungodly tyrant whom all good men did hate: and with such words inflaming one another, at last they agreed to cut him off.

The

The principal undertakers were *Normond Lesley*, *John Lesley* his Uncle, *William Kirkaldy* of *Grange*, *Peter Carmicall* of *Fife*, and *James Melville*, one of the house of *Carneby*; the Plot was to meet at *S. Andrews* in the most private manner they could, and surprize the Castle some morning before the servants were stirring. And that the enterprize should not faile, they gave hands to be in the City the 28. of *May*, promising in the mean time so to carry themselves, as no suspicion might be taken of their purpose. Thus at the day appointed, *Normond* accompanied with five onely, came to the City, and went to his accustomed lodging; *William Kirkaldy* was there a day before, *John Lesley* who did professe enmity to the Cardinal, entered not till night was fallen. Upon Saturday morning the 29. of *May*, rising about three of the clock, they met in the Abbey Church-yard, where they condescended that *William Kirkaldy*, and six with him. (for they did not exceed twelve in all) should attend the opening of the gate, and assure it for the rest. All things succeeded to their wishes, *Grange* at his first coming found the gate open; and entering with his company, entertained the Keeper with some speeches, asking if the Cardinal was stirring, and how soon he would rise. *Normond* came shortly after, and some two with him; last of all, came *John Lesley* with other two; whom as soon as the Keeper saw, suspecting some bad practice, he made to draw the bridge, but they laying hands upon him, took the keys, and assured the gate.

An. 1545.

The proceeding of the conspirators.

Grange entered into the Castle.

The servants and workmen put to the gate.

Then appointing four of the company to watch the chamber where the Cardinal lay that no advertisement should go unto him, they went to the several chambers in which the servants lay asleep, and calling them by their names (for they were all known unto them) they put fifty of his ordinary servants, besides the workmen, Masons, and Wrights, who were reckoned above a hundred, (for he was then fortifying the Castle) to the gate, permitting none to stay within, but the Earl of *Arran* the Governours eldest sonne, whom they thought best to detain upon all adventures. This was performed with so little noise, as the Cardinal did not hear, till they knockt at his chamber. Then he asked, who was there? *John Lesley* answered, My name is *Lesley*. Which *Lesley*, said the Cardinal? is that *Normond*? It was answered, that he must open to those that were there. The answer gave him notice that they were no friends; therefore making the dore fast, he refused to open. They calling to bring fire, whilest it was in fetching, he began to commune with them; and after some speeches, upon their promise to use no violence, he opened the dore; but they rushing in with their swords drawne did most inhumanely kill him, he not making any resistance.

The Cardinal killed.

The tumult was great in the City, upon the rumour that the Castle was taken. The people armed, and such as favoured the Cardinal, made haste intending to scale the walls; but when it was told them, that he was dead whom they sought to help, their hearts cooled. The people still crying for a sight of the Cardinal, his corps was brought to the very same place, where he sat beholding Master *George Wisharts* execution. Upon the sight whereof, they dissolved; many then calling to mind the Martyr his last words, were thereby confirmed in the opinion they had of his piety and holinesse.

A tumult in the City.
Buchan. l. 15.

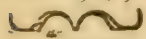
Such was the end of this unfortunate man, who in his life was ambitious beyond measure, and in punishing of those he esteemed hereticks, more then inhumane; a barbarous part it was in him to sit and behold the Martyring of Master *George Wishart*, taking pleasure in that which no man could look on without pity. But the hatred he bare to the truth, and the care he had to maintain his own greatnesse, was such, and so excessive, as he did both forget himselfe, and the place he held in the Church, and now doth remain a tragical ensample in story, to admonish every man to keep within his bound, and hold that moderation which is fitting.

The Cardinal his description.

The rumour of this fact being quickly dispersed through the countrey, every man commended or condemned it as his passion led him. They who stood in awe of his power, did highly commend the enterprize and praise the doers, and of that sort divers came to congratulate the fact, offering to take one part with them. Others who were more wise, and moderate, though they disliked not the fact, (as hoping to enjoy their profession with greater liberty) did yet abhorre the form and manner

How the fact was interpreted in the Countrey.

An. 1545.



manner, judging it to be foully done, especially on the part of *Normond*, at whose hands he did not look for any harme. And indeed few or none of those who had an hand in that work, escaped an extraordinary judgement; God thereby declaring, that howsoever it pleaseth him in the execution of his judgements, to use sometimes the ministry and service of men, yet doth he not allow of their wicked disposition, and for most part faileth not to reward them with the same, or the like that they do unto others.

A great stirre
in the Church
by this occasi-
on.

The murthe-
rers accursed.

The Gover-
nours base
brother elected
Bishop.

The Castle
besieged, and
supplied from
England.

A capitulation
with the
besieged.

The Govern-
ment sendeth to
France for a
supply.

Divers joynd
with those
within the
Castle.

John Rough
and John Knox
preach to the
besieged.

But in the Church a fearful uproare was raised upon this accident, the Priests and Friars exclaiming every where against the murther, as the most odious which in any memory had been committed. The Bishops running upon the Governour (who was no lesse troubled with the fact then themselves) desired some course might be taken for the speedy punishment of the murtherers: but he following the course of law, directed summons for their appearing to underlye trial, which they contemned, and were therefore denounced Rebels. The Ecclesiastick Judges to be nothing behinde for their parts, did solemnly curse the actors, and all that should receive or minister unto them any necessities.

41. Mean while the Governour did nominate his base brother for the place, who was elected by the Chanons, and soon after confirmed by Pope *Paul* the third. For he fearing the defection of the Realme from the obedience of the *Romane* See, as *England* had given the ensample, was glad to gratifie the Governour, and with the Bulls which were freely expd, wrote both to the Governour and to the Bishop, that they should make their zeal appear, in vindicating the injury done to the Ecclesiastick estate.

Upon the receipt of these letters, it was resolved to besiege the Castle, which beginning about the end of *August*, continued untill the moneth of *January*, howbeit to small effect: for the passage by Sea being open, they were supplied with all necessities from *England* by King *Henry*, to whom they had obliged their faith by two several messages for defending the Castle, and maintaining the contract with *England*: which the Governour fearing he was induced to capitulate with the besieged, and yield unto the conditions following.

1. That the Governour should procure unto them a sufficient absolution from the Pope for the slaughter of the Cardinal, and till the same was returned, that they should retain the Castle, and not be pursued by force.

2. That they, their friends, servants, and partakers, should simply be remitted by the Governour, and never be called in question for the said slaughter, but should enjoy all commodities spiritual and temporal, which they possessed before the committing thereof.

3. That the besieged should give pledges for rendering the Castle, how soon the absolution was returned from *Rome*, and for surety of the pledges, that the Earl of *Arran* eldest sonne to the Governour, should remain in their custody untill the absolution was returned, and they secured to their content.

The conditions were to the besieged more advantagious then honourable to the Governour, but neither the one nor the other intended performance; for the Governour at the same time sent a messenger to *France*, with letters from the Queen *Dowager*, and from himself, intreating a supply of Ships and Gallies, to batter the house on that part which looked towards the Sea, and debarre the Keepers of further provision. They on the other side, were resolved not to forsake King *Henries* protection, of whose assistance they were confident. The proceedings of the next summer, shall clear the intentions on either side; in the mean time, let us hear how the affaires of Religion went the rest of this winter.

Divers, as we touched before, upon the newes of the Cardinals death, came and joynd with those that had killed him, especially Master *Henry Balnaves*, the *Melvils* of the house of *Raith*, and some Gentlemen of *Fife*, to the number of seven-score persons, who all entered into the Castle the day after the slaughter, and abode there during the time of the first siege. *John Rough*, he that had attended the Governour as Chaplain in the beginning of his Regiment, came also thither, and became their Preacher.

After

After him came *John Knox*, but not till the siege was raised, and the appointment made, whereof we have spoken. The adversaries of Religion taking advantage of this, did cast in the teeth of both the Preachers and Professours the murder committed, as though they did all approve the same; and Bishop *Lesley* in his Chronicle speaking of *John Knox*, saying, that *He did think to attain to the top of Evangelical profession, by triumphing that way upon the slaughter of a Priest and Cardinall.* I deny not, but this his doing was scarce allowable, and that it had been a wiser part in him not to have gone towards them at all; yet since he did neither accompany them at the fact, nor came unto them till the conditions of peace were granted; his guiltinesse was not such as they make it to be; neither will I say that he was grieved at the Cardinals death, but rather glad that such an enemy was taken out of the way: but that he did insult upon his death, or allow the manner of it, cannot be truly affirmed as to that which is objected, forth of the narration made of this accident in the book intituled, *The History of the Church of Scotland*, where the Author seemeth indeed to commend the fact; though that history be ascribed to *John Knox*, it is sure that he did not penne the same, as I shall make clear in another place.

How soon the Governour was gone, *John Rough* did openly preach in the Parish Church, and was much haunted by the people; at which the Clergy offending, a great stirre was raised: Dean *John Anand* oppugning his doctrine both by word and writing, *John Knox* did take on him to maintain the same: and the matter being brought to a dispute, after long reasoning upon the authority of the *Romane Church*, *John Knox* did offer to prove, "That the present Church of *Rome* was more degenerate from the purity which it had in the dayes of the Apostles, then was the Church of the Jewes from the Ordinances given by *Moses*, when they consented to the death of our Saviour.

An. 1545.



John Rough preaching in the city, is oppugned by the Clergy.

Such as were present at the reasoning, having requested *John Knox* to make good what he had spoken, he took occasion the Sunday following to preach in the Parish Church, chusing for his Theam the 24, and 25. verses of the seventh Chapter of *Daniel*; In the Sermon after he had spoken of "the care that God had alwayes of his Church, to forewarne her of the dangers that were to happen, many years before the same fell out; and illustrated that point by the predictions of *Israels* captivity, the prophesie of the *four Empires*, namely the *Babylonian*, *Persian*, *Grecian*, and *Romane*, and foretelling of the *Beast* that should arise out of the destruction of the *Romane Empire*; he said that by that *Beast*, the *Church of Rome* was to be understood, in regard all the marks assigned by *Daniel*, did pertain to that Church, and to no other power which ever was in the world. Then falling to speak of *Antichrist*, he shewed that there was not any one person meant by that title, but a body and multitude of people, having a wicked head, that should not only be sinful himself, but the occasion also of sin to all that should be subject unto him. And that he was called *Antichrist*, because he was contrary to *Christ*, in life and doctrine, in lawes. The contrariety of life he made clearly by deciphering the corrupt and beastly conversation both of the Popes themselves, and of their Clergy. The contrariety of doctrine he qualified by comparing the doctrine of the justification by faith taught in the *Scriptures*, with the doctrine of justification by works, maintained by the *Church of Rome*. And the contrariety of lawes he proved by the observation of dayes, abstaining from meats, and forbidding of marriage, which *Christ* had made free. In end he came to speak of the marks of the *Beast*, one he said was in the Text, where it was said, *He shall speak great words against the most high*; but what greater words said he can be uttered then to call the Pope the Vicar of *Christ*, the successeur of *Peter*, the head of the universal Church; most holy, most blessed, one who cannot erre, that may make right of wrong, and wrong of right, that of nothing may make somewhat; that hath all verity inclosed in the shrine of his breast, that hath power over all men, no man having power over him, and through he draw ten thousand millions of souls with himself to hell, that none may or ought to say that he doth wrong? which words he shewed, were expressed in the common law, and could not be denied. Ano-

John Knox maintained his doctrine in a Sermon.

The substance of *John Knox* his Sermon.

Ienner.

"ther

An. 1545.

“ther note more remarkable, he adduced forth of *S. John* his Revelation, where
 “it is said, that *the Babylonian whore shall make merchandise of the souls of men*; which
 “never any did of what profession soever they were, the Pope and his followers
 “excepted: for they (said he) take upon them to mitigate the paines of souls in Pur-
 “gatory, and to releafe them by laying of Masses, selling of Pardons, and Indul-
 “gences, which none besides them ever did: whereupon he inferred, that the
 “Church of *Rome* was quite degenerate from her first purity, and that very beast
 “foreshewed in the Scriptures, &c.

The Arch-
 bishop offended
 with the Sub-
 prior for per-
 mitting these
 preachings.

The two pre-
 achers conve-
 ned before the
 Sub-prior.

At this Sermon Master *John Maior* the Sub-prior, a number of Chanons and
 Friers of both Orders, with the whole University, were present; whom he appealed
 to answer his allegations, if they found any one of them not consonant to truth.
 The Archbishop being advertised of this, wrote to the Sub-prior, saying, that he
 wondered how he could suffer such heretical and schismatical doctrines to be
 taught, and not oppose himself thereto. Whereupon *John Rough* and *John Knox*
 were cited to answer unto certain heads collected out of their Sermons, and set down
 as followeth.

1. That no mortal man can be the head of Christs Church.
2. That the Pope is Antichrist, and so not a member of Christs mystical body.
3. That no man may make or devise a Religion that is acceptable to God, but
 that he is bound to observe and keep the Religion received from God,
 without chopping or changing the same.
4. That the Sacraments of the New Testament ought to bee ministred
 as they were instituted by *Christ Iesus*, and practised by his Apostles,
 nor ought there any thing be added unto them, nor diminished from
 them.
5. That the Masse is abominable idolatry, blasphemous to the death of *Iesus*
Christ, and a profanation to the Lords Suppers.
6. That there is no Purgatory, in the which the souls of men can either be pined
 or purged after this life, Heaven being appointed for the faithful, and Hell
 for the reprobate and unfaithful.
7. That prayer for the dead is vain, and to the dead is idolatry.
8. That Bishops are no Bishops, except they preach themselves without a
 Substitute.
9. That tithes by Gods law do not appertain necessarily to Churchmen.

John Knox his
 judgement of
 tithes.

This last Article I would not omit, because it is alledged by those that penned
 the story; whether it was a point of *John Roughs* preaching or not, I cannot say, but
 for *John Knox* it is clear by his Sermons and writings still extant, that he held it a
 point of *high Sacriledge to rob and spoile the Church of tithes*. It is true that many in
 these times, offending with the extortion of Churchmen, did hold that *tithes be-
 longed not to the Church by any divine right*; and knowing that this opinion would
 find easie passage among the people, as also serve to abridge the means and power
 of Churchmen, they were the more ready to deliver such doctrines; but this was
 done rather out of passion then judgement: for he that will not wilfully shut his
 eyes against the truth, cannot but know that tithes are the Lords, and the portion
 that he hath served for the maintenance of his worship and service: But to leave this.

John Knox his
 answer to the
 Sub-prior and
 Clergy.

The Sub-prior and others of the Clergy, that convened with him, having laid
 these Articles to their charge, *John Knox* answered, that for himselfe he was glad to
 declare his mind in those points, before so modest and judicious an auditory;
 and turning to the Sub-prior, *It is a long time*, said he, *since I have heard that you*
are not ignorant of the truth; Therefore I do appeal your conscience before the *supreme*
Judge, that if you think the Articles wherewith we are charged contrarious to the truth of
 God, that you plainly open your self, and suffer not the people to be deceived; but if in
 your conscience you know them to be true and sound, then I will crave your *patrocinie*, that
 by your authority the people may be moved to embrace the truth, wherof now many doubt,
 because of your *indifferencie*. The Sub-prior answered, “That he came not there
 “to judge, but to conferre of these points, and would, if he pleased, reason a little
 “of the power of the Church, which in my opinion (said he) may very lawfully
 devile

“devise rights and ceremonies for decorating the Sacraments, and other parts of divine service; *John Knox* replying, *That no man in the worship of God might appoint any ceremony, giving it a signification to his pleasure.* One *Arbuthnot* a gray Frier reasoned so hotly in the contrary, that forgetting himself, he denied the *Apostles* to have received the *Holy Ghost*, when they penned their Epistles. The Sub-prior checking the Frier, did after a little space dimit the Preachers with a brotherly admonition, to take heed what doctrine they delivered in publick.

An. 1547.

When they were gone, such of the Clergy as were present, entred in consultation, what was fittest to be done for staying the defection of the people; and in end resolved, that every learned man of the Abbey and University, should preach in the Parish Churches on Sundayes; the Sub-prior beginning, the Officials following, and the rest according to their seniority; eschewing all of them to speak of any controverted point, which might breed question, and minister unto people occasion of talk. *John Knox*, who by this mean was excluded from the Pulpit on the Sunday, preached on the week dayes sometimes, none daring to offer him any wrong, because of the fear they stood in of them within the Castle.

A consultation of the Clergy, how to stay the defection of the people.

But *John Rough* being grieved with the wicked and licentious living of the souldiers and others in the Castle, took his leave of them and departed into *England*; preaching some years in the Townes of *Carlile*, *Berwick*, and *Newcastle*, he was afterwards provided to a Benefice by the Archbishop of *York*, nor farre from the Town of *Hull*, and resided upon it untill the death of King *Edward* the sixth. In the time of *Queen Maries* persecution, he fled with the wife that he had married unto *Friesland*, and wonne his living with the knitting of Caps, hose and such like wares; and in *November* 1557. coming to *London* for providing some necessaries to maintain his trade, was apprehended by the Queens Vice-Chamberlain at the *Saracens* head in *Islington*, where they who professed Religion, used quietly to meet.

John Rough forsaking those in the Castle, goeth into *England*.

Being brought before *Bonner* Bishop of *London*, and questioned, if at any time since his last coming into *England*, he had preached; he answered, *That he had not preached, but in some places where godly people were assembled, he did read the prayers of the the Communion Book, set forth in the Reign of King Edward the sixth.* And being asked, what his judgement was of the said book, he confessed, *That he did approve the same, as agreeing in all points with the word of God.* The Bishop used many perswasions to make him recant, and detained him some weeks in prison, to try what he would do: but finding him resolute, and constant in his profession, he brought him forth to be judged. Where (one *Morgan* a Bishop of *S. Davids* assisting) he was charged, first, *That being a Priest, and in Orders, he had married a wife;* next, *That he refused to use the Latine Service;* and thirdly, *That he would not go to the Masse.* To the first point he answered, *That Orders were not an impediment to marriage, and that he had done lawfully in taking a wife.* To the second and third he said, *If he were to live Methuselahs dayes, he would neither use the Latine Service, nor be present at Masse, which he counted abominable.* Upon these answers he was condemned, degraded, and put in the hands of the secular Magistrate, who the next morning being the 21. of *November*, caused him to be burnt in *Smithfield*. Thus ended that worthy Minister and Martyr of Christ, of whom I thought fit in this place to say so much, though his sufferings fell out some years after.

He is brought in question, and examined by *Bonner* Bishop of *London*.

He suffered Martyrdom and is burnt in *Smithfield*.

The summer following about the beginning of *June*; the absolution promised to those of the Castle, returned from *Rome*, whereupon the Keepers were required to render the house, according to the capitulation made. But they alledging the absolution not to be sufficient, because of some words contained in the Bull, wherein it was said, *remittimus crimen irremissibile*, we remit a crime which cannot be remitted; refused to accept the same. It was answered that such a clause was insert only for aggravating the crime, and that the absolution was in it self valid enough. But they would not be satisfied; and so complaining that promise was not kept with them, resolved to stand to their defence.

An. 1547.

The absolution returned from *Rome*, doth not satisfy them.

In the end of the same moneth there arrived twenty one Gallies sent from *France*, under the command of *Leon Strozius*, within sight of the Castle. The Governour was at that time in the borders, and upon advertisement of the Gallies

The Castle of *S. Andrews* again besieged at the coming of the *French* Gallies.

arriving,

An. 1547. arriving, came with such diligence, as divers who belonged to the Castle, being in the City, had no leisure to re-enter; and some who were gone thither for private businesse, were forced to stay within. Shortly after his coming, the siege was confirmed by sea and land, trenches cast, and the Canons planted, some in the Abbey steeple, some in *S. Salvators*, and some in the street that leads to the Castle.

The Castle besieged and battered by land and sea.

The Castle reduced upon capitulation.

The Castle demolished.

The Duke of Somerset invaded Scotland.

His letter to the Governour and Nobility.

Then began the battery both by sea and land, but that of the sea did no great harm. The siege continuing all the moneth of *July*, upon the twenty ninth day in the South-quarter (on which the Canon had played furiously that morning) a great breach was made; this terrifying the defendants, who to that time shewed great courage, expecting reliefe from *England*, (and indeed a navall Army was prepared to come, but King *Henry* dying about the same time, it was stayed) beside the danger they apprehended of the breach, the plague within the house was hot, & thereof every day a number died: So perceiving no help, and the sickness increasing, they came to a capitulation, where it was agreed, that the lives of all within the Castle should be saved, the Principals transported unto *France*, and if they liked not to remain there, be conveyed upon the *French* Kings charges to what countrey they pleased, *Scotland* excepted. Immediately the Castle was rendered to the *French* Captain, who sent his men to receive the prisoners, and make spoile of all that was in the house. They found of victuals great store, wherewith they furnished the Gallies. But the Cardinals treasure and household-stuffe, which was very precious, pleased them better. All this with the wealth the defendants had (for they had brought all their substance thither) fell into the hands of the *French*; the fourth or fifth day after the Gallies put to Sea, and about the midst of *August* arrived safe at *Roan* in *Normandy*, where some of the prisoners were incarcerated; others detained all the winter in the Gallies, especially *John Knox*, *Mr. James Balsom*, with his brothers *David* and *Gilbert*. The Castle after the *French* were gone, was by act of Council demolished, which some said, was done to satisfie the Popes law, that ordaines the places where Cardinals are slain to be ruinated: but the true cause was, the fear the Governour had, that *England* should take the house and fortifie it; as they did some others a short while after.

This revenge taken of the Cardinals death, gave the Priests some satisfaction, who reckoned it a part of their happinesse to be rid in this sort of *John Knox*, and others that they knew to be their enemies. But the Duke of *Somerset* entering with a strong Army into *Scotland*, in *September* next, put all in a new feare. The Governour sent Proclamations through the countrey, charging all that could bear Armes, to meet at *Edinburgh* for the defence of the Realm; many of all sorts assembled, and with greater diligence then was expected, which made the Duke of *Somerset*, who was a Nobleman well inclined, and hated the shedding of blood, to write unto the Governour and Nobility, intreating them to consider, "That both the "Armies consisted of Christian men, who above all things, (if they were not forgetful of their profession) ought to wish peace and quietnesse, and have in detestation warre, and unjust force; as likewise to remember that the cause of the present invasion did not proceed from covetousnesse or malice, but from the desire "of a perpetual peace, which could not be so firmly made up by any mean, as by "marriage, which they knew was promised, and by the publick consent of the "whole Estates ratified, upon conditions more beneficial to the *Scots* then to "the *English*, insomuch that they were called not unto a servitude, but unto a "common fellowship, and a liberal communication of all their fortunes, which "could not but be more commodious to the *Scots*, then to the *English*; the hope "of advantage, and the fear of injuries being alwayes greater from the party that is "more strong, to that which is the weaker: And for the businesse in hand, he desired them to consider this especially, that seeing there was a necessity of giving "their Queen in marriage to some man, if they did either respect their profit or honour, they could not make a better choice, then of a King their neighbour, born "in the same Isle, joyned in propinquity of blood, instructed in the same lawes, "educated in the same manners and language, superiour in riches, and in all external commodities and ornaments, and such a one as would bring with him a perpetual

“perpetual peace, together with the oblivion of ancient grudges, and hatreds. For
 “should they take a stranger to be their King, differing from themselves in lan- *An. 1548.*
 “guage, manners, and lawes; great evils and discommodities could not but arise,
 “as they might know by that which had fallen out in the like case to other nations,
 “by whose ensample he wished they should be made wise. As for the part of Eng-
 “land, he said if they did find the minds of the Scots not estranged from peace, they
 “would remit somewhat of their right, and be contented that the young Queen
 “should be kept amongst themselves, untill she were fit for marriage, and might
 “chuse a husband to her self by advice of the Nobility; during which time, all
 “hostility should cease betwixt the two Kingdomes, it being provided that the
 “Queen should not be sent to any forain countrey, nor contracted in marriage
 “with the French King, nor any other Prince: which if the Scots would faithfully
 “promise, he would presently retire with his Army, and recompense all injuries
 “done since his coming into Scotland, at the sight and estimation of honest men.

This letter the Governour communicated to his brother, and to a few others on
 whose counsel he depended, such as *George Dury* Abbot of *Dunfermlin*, *Mr. Arch-*
bald Beaton, and *Mr. Hugh Rig* a Lawyer, who gave him advice to suppress the
 letter: for they feared if the offers were published, the greater part of the Nobil-
 ity would embrace the same, and in stead thereof they made a rumour to be dis-
 persed through the Army, that the English were come to take away the Queen by
 force, and bring the Kingdome into subjection. The Nobles and whole Army
 believing this to be the effect of the letter, became mightily incensed. Nor did any
 kith so foolish as the Priests and Clergy men, who dreaming of nothing but victory,
 cried out, that the English hereticks had no spirits, and durst not come to a battaile:
 But they found themselves deceived; for upon Saterday the tenth of September,
 1547. the Armies joyning, the Scots were put to the worse, and many thousands
 slain in the fight, (which lasted not long) but exceeding many in the chase.
 The English pursuing the victory, came forwards to *Leith*, where they remained
 eight dayes, dividing the spoile and prisoners; and in that time surpris'd the Isles
 of *Inchkeith* and *Inchcolm*, in the river of *Forth*, with *Broughtie* Castle in the mouth
 of *Tay*, which places they strongly fortified. In their return homewards they took
 the Castle of *Home*, with the house of *Fascastle*, and placed Garisons in the Townes
 of *Haddington*, *Lawder*, and *Roxborough*. The Governour, the Bishop his brother,
 and such of the Nobles as escaped in the flight, went to *Striveling*, and there tak-
 ing counsel what should be done with the young Queen, concluded to send her to
 the Castle of *Dumbarton*, under the custody of the Lords *Areskin* and *Levingston*,
 and to advertise the King of France, how matters went, intreating of him a sup-
 ply both of men and money.

The Duke of
Somerset's let-
 ters suppressed.

The battel of
Pinchie.

The young
 Queen con-
 veyed to *Dum-*
barton.

Hereupon the next summer arrived at *Leith* three thousand *Germanes* under the
 charge of Count *Rhingrave*, with as many French commanded by *Monsieur de An-*
delot, *Monsieur de Mallery*, and *Monsieur d' Ossel*, *Monsieur d' Esse* being General
 of the whole. This supply did so hearten the Governour, as gathering together an
 Army, he beleaguered the Town of *Haddington*, which the English had at that time
 made very strong. The Nobility being there convened, entered of new into a con-
 sultation touching the young Queen, and the course that should be taken with her.
 The French Generall desired she should be sent into France, and espoused to the
Daulphin; which the Queen her Mother longed to have done. The Noblemen
 were not of one minde, for such as favoured the reformation, were of opinion that
 the conditions offered by England (which were then come to light) should be em-
 braced because that would bring with it ten years of peace at least; in which time,
 if either King *Edward* of England, or the young Queen should depart this life, all
 things would return to their first estate: and if no such things happened, yet the
 Kingdome being at rest, and freed of the present troubles would grow to some bet-
 ter ease within it self, and they might more maturely advise what course was fittest
 to be taken: “Delay, they said, in matters of such consequence was safest, and that
 “precipitation might bring with it a suddain, but untimely repentance. The rest
 stood all for the French, most of them being corrupted with gold, and others with

An. 1548.
 The siege of
Haddington.

A counsel tak-
 en for sending
 the young
 Queen to
 France.

An. 1550. large promises. The Governour himself had an annuity promised of twelve thousand francks, and a company of men at Armes, to the Earle of Arran his sonne. All these pretending the safety of the young Queen, did reason that there was no other way to be rid of the *English* warres, but that one: For as long as the *English* have any hope, said they, to speed, they will still be troubling; but when they shall see the Queen gone, and that there is no remedy, they will cease from their pursuit. The greatest number inclining that way, it was concluded that the young Queen should be conveyed to *France*. Shortly after, the *French* Navy that lay at *Leith*, giving out that they were to return home, compassing the North Isles, received her at *Dunbritten*, and after much tossing at sea, did safely land her in *France*.

An. 1550.

Peace made
with *England*.

The prisoners
taken in the
Castle of Saint
Andrews put
at liberty.

Norman Iesley
his fortune and
death.

The warres with *England* in the mean time went on, and continued full two years, till by the treaty of *Bulloign*, in the yare 1550. a peace was made, the Lord *Chastilion* being Commissioner for the *French*, the Earl of *Bedford* for the *English*, and *David Panter* Bishop of *Ross* for the *Scots*. At that time were *Normond Lesley*, Mr. *Henry Balnaves*, *John Knox* and others, who had been kept partly in prison, and partly in the Gallies since the taking of *S. Andrews* Castle, put to liberty; Mr. *James Balfour* had freed himself long before by abjuring his profession, and was become Official to the Bishop of *S. Andrews*; *James Melvil* died in the Tower of *Brest* in *Britain*; *William Kircaldie*, *Peter Carmichal*, with *Robert* and *William Leslies*, who were imprisoned in *Mont S. Michael*, found means to escape before the Treaty, and went into *England*. *Norman* after he was freed, returned into *Scotland*, but fearing the Governour he went into *Denmark*, where not finding that kind reception he expected, he betook himself to *England*, and had an honourable pension allowed him, which was thankfully answered during the life of King *Edward* the sixt. Queen *Mary* succeeding, he found not the like favour, and thereupon went to *France*, where he had a company of men of Armes given him, with which he served the *French* King in his warres against the Emperour *Charles* the fifth, and in pursuing the enemy whom he had in chase, was wounded with the shot of a Pistoll, whereof he died the day after at *Montreul*. He was a man of noble qualities, and full of courage, but falling unfortunately in the slaughter of the Cardinal, which he is said at his dying to have sore repented, he lost himself and the expectation which was generally held of his worth.

The countrey
vexed with
Justice Courts.

Adam wallace
accused of he-
resie.

His answer.

History of the
Church.

The countrey notwithstanding the peace made with *England*, was not in much better case; for the Governour, who was altogether ruled by the Bishop his brother, going through the countrey with Justice Courts, (as they call them) vexed the people mightily; and whereas during the warre men enjoyed the liberty of their profession, a new persecution was raised, which took the beginning at one *Adam wallace* a simple man, but very zealous in his Religion; he was taken at *Winton* in *Lothian* by the Bishops direction, and brought to his trial in the Church of *Black Friars* in *Edinburgh*, where in presence of the Governour, the Earl of *Argyle*, great Justice of the Realme, the Earles of *Angus*, *Huntley*, *Glaincarne*, and divers others of the Nobility he was accused, first, of usurping the office of a Preacher, having no lawfull calling thereto; next, of baptizing one of his own children; thirdly, for denying *Purgatory*; fourthly, for maintaining that prayers made to the Saints, and for the dead were meerly superstitious; and fifthly, for calling the Masse an idolatrous service, and affirming that the bread and wine in the Sacrament of the Altar, after the words of consecration, remained bread and wine.

To the first he answered, That he never judged himselfe worthy of so excellent a vocation as is the calling of a Preacher, nor did he ever presume to preach; onely he confessed, that in some private places he did read a part of the Scripture at times, and make a short exhortation thereupon to those that would hear him. It being replied that he ought not to have medled with the Scriptures; he said, That he esteemed it the duty of every Christian to seek the knowledge of Gods word, and the assurance of his own salvation, which was not to be found but in the Scriptures. One that stood by saying, What then shall be left to the Bishops and Churchmen to do, if every man should be a babler upon the Bible? he answered, It becomes you to speak more reverently of God and of his blessed word; and if the Judge did right, he would punish you for your blasphemy: But to
your

your question. I say, that albeit you and I and five thousand more would read the Bible, and conferre together upon it, yet we leave more to the Bishops to do, then either they will do or can; for we leave to them the preaching of the Gospel of Christ, and the feeding of the flock, which he hath redeemed by his own blood, which is a burthen heavy enough; neither do we them any wrong in working out our own salvation so farre as we may.

An. 1550.

To the second he answered, That it was as lawful for him to baptize his own childe, since he could not have a true Minister, as it was to Abraham to circumcise Ismael and his family.

To the third and fourth heads, more generally he said, That he never believed nor maintained any thing, but that he found in the book hanging at his girdle: which was the Bible in French, Dutch, and English. And being urged to be more particular, he answered, That if he were disposed to speak of these matters, he would require a more upright and indifferent Judge. The Earl of Huntley upon that, saying he was a fool to desire another Judge then the Governour, and the Bishops there present; he replied, That the Bishops could not be his Judges, because they were open enemies to the doctrine he professed. And for the Governour, he doubted if he had the knowledge to discern lies from truth, and the inventions of men from the true worship of God. The Judge that he desired, he said, was the book of God, by which if he should be convinced to have taught, spoken, or done in matters of Religion, any thing that was repugnant to the will of God, he would not refuse to die; but if he tried innocent, and was found not to have spoken or done any thing contrary thereto, then he desired the protection of the Governour and Nobility, against the Tyranny of malicious men.

Being enquired what he did think of the Masse, he said, That he had read the Bible in three languages, and had never found the word Masse in them all, and that the thing which was in greatest estimation with men, was nothing but abomination in the sight of God. Then did all the company cry out, Heresie, heresie, let him be condemned. So the poor man was sentenced to be an heretick, and put in the hands of Sir John Campbel of Lundie, Justice deputy, who having adjudged him to die, sent him back to prison, because the night was coming on; all that night he spent in singing of Psalmes, which he had learned by heart, and the next day was led forth to the fire, which was prepared in the Castle hill, being inhibited to speak unto the people; yet when he came to the place of execution, he intreated the beholders, Not to offend with the truth because of his sufferings, saying, The disciple is not above his Master: and as he was proceeding, the Provost of the Town who had the oversight of the execution, did interrupt him, saying, that he would not be permitted to speak to the people; whereupon having in some few words commended his soul to God, he took his death most patiently.

Acts of Martyrs.

The same year there arose a great contention amongst the Churchmen, for saying the Pater noster, upon this occasion. One Richard Marshal, Prior of the Black Friars at Newcastle in England, had been in S. Andrews, and in one of his Sermons taught, that the Pater noster should be said unto God only, and not unto the Saints. Some Doctors of the University taking exception against his doctrine, stirred up a Gray Frier called Frier Tottis to confute him, and prove that the Pater noster might be said unto the Saints. The Frier, an audacious and ignorant fellow, took the matter in hand and reading his text out of the fifth of S. Matthewes Gospel, Blessed are the poor in spirit, for unto them belongeth the kingdome of heaven, gathered upon it, that the Pater noster might be said to Saints, because all the Petitions in the prayer, said he, appertain to the Saints: for if we meet an old man in the street, we will say, Good morrow Father, much more in our prayers may we call the Saints our Fathers; and seeing we grant they are in heaven, we may say to every one of them, Our Father which art in heaven. Then we know, said he, God hath made their names holy, so we may say to any of the Saints, Hallowed be thy name. And as they are in the Kingdome of heaven, so that Kingdome is theirs by possession; therefore when we pray for the Kingdome of heaven, we may say to any of them, Thy kingdome come. In like manner, except their will had been the will of God, they had never come to that Kingdome; therefore seeing their will is Gods will, we may say to every one of them, Thy will be done. But when he came to the fourth Petition, he was much troubled

A contention among Churchmen for saying of Pater noster.

The foolish preaching of a Frier in Saint Andrews upon this subject.

An. 1543.

troubled to find a colour for it, confessing it was not in the *Saints* power to give us daily bread; yet they may pray, said he, to God for us, that he will give us our daily bread. The like glosse he made upon the rest of the Peritions, but with so little satisfaction of the hearers, as they all fell a laughing, and the children meeting him in the streets, did cry and call him, *Frier Pater noster*, whereof he grew so ashamed, that he left the City.

Acts of Martyrs. p. 1274.

Yet in the University, the contention ceased not, whereupon the Doctors did assemble to dispute, and decide the question. In that meeting, some held that the *Pater noster* was said to God, *Formaliter*, and to Saints *Materialiter*; others not liking the distinction, said that the *Pater noster* ought to be said to God *Principaliter*, and to Saints *minus Principaliter*; others would have it *Ultimatè*, & *non ultimatè*: others *Primariò*, & *secundariò*; and some (wherewith the most voices went) said that the *Pater noster* should be said to God, *Capiendo strictè*, and to Saints, *Capiendo largè*. Yet did they not settle upon the distinction; and after divers meetings, when they could not agree by common consent, the decision was remitted to the Provincial Synod, which was to meet at *Edinburgh* in *January* following. A simple fellow that served the Sub-prior in his chamber for the time, thinking there was some great matter in hand, that made the Doctors to convene so often, asked him one night as he went to bed, what the matter was? The Sub-prior merrily answering, *Tom* (that was the fellowes name) we cannot agree whom to the *Pater noster* should be said; he suddainly replied, *Sir, whom to should it be said but unto God?* then said the Sub-prior, *What shall we do with the Saints?* he answered, *Give them Ave's and Creeds enow in the devils name, for that may suffice them.* This answer going abroad, many said, *He hath given a wiser decision then all the Doctors had done with their distinctions.*

A pleasant discourse and jest of the Sub-priors servant.

The decision of the Provincial Synod.

When the Synod convened, the question was again agitated, and after much reasoning, the same being put to voices, it was found that the *Pater noster* might be said unto the Saints. But the Bishops and such as had any judgement would not suffer the conclusion to be enacted, ordaining the Sub-prior at his return to *S. Andrews*, for settling the minds of people, to shew that the *Pater noster* ought to be said to God, yet so that the Saints ought also to be invocated. And thus ended that contention. In this meeting, order was taken for publishing an *English* Catethisme, containing a short explanation of the *Commandements*, *Belief*, and *Lords Prayer*; and the Curates enjoined to read a part thereof every Sunday and holy day to the people, when there was no Sermon. This being imprinted, was sold for two pence, and therefore called by the vulgar *The two-peny faith*.

The Catechisme called The two-peny faith.

A Provincial Synod kept at Linlithgow.

The year following, another Provincial Council was kept at *Linlithgow*, in which the maintainers of any opinions contrary to the Church of *Rome* were accused, and the Decrees of the Council of *Trent*, made in the time of Pope *Paul* the third received. Some Acts were made for reforming corrupt lives of the Clergy, but little or no execution followed; they to whom the correction belonged, being themselves in the highest measure faulty and culpable.

An. 1553.

King Edward the sixth of England, dieth.

Queen Regent admitted to rule by dimission of the Governour.

But the next year brought with it an alteration in both Kingdomes, to the Clergies great content; for in *England* King *Edward* the sixth departed this life, a Prince of rare piety, and the special comfort of those who professed the Reformed Religion; in whose place Queen *Mary* succeeded, one wholly devoted to the Pope and his faction: And at home the Governour was induced by *Robert Carnegie* (on whom he relied much) and by *Panter* Bishop of *Ross*, to dimit the Regencie to Queen mother, of whom the Clergy held themselves more assured. She following the directions of her brother the Duke of *Guise*, and the Cardinal of *Lorraine*, set her self to maintain Popish superstition at the uttermost, using lesse cruelty then did Queen *Mary*, but more policie, and to the same end. So as now the fear of change in Religion was gone, and the hopes quite dashed of those that sought Reformation; yet the Lord by his providence did otherwise dispose things, and made that a mean to advance Religion amongst us which men thought should be utterly extinguished; for some of those that fled from Queen *Maries* persecution, taking their refuge unto this Kingdome, did not onely help to keep in the light which was begun

to shine, but made the Sunne break up more cleare then before.

William Harlow a man of simple and mean condition, came first into the countrey; he had served some years in the *English Church* with good approbation, and was at this time very comfortable to the faithful.

After him came *John Willock* a *Franciscan* sometime in the Town of *Aire*, who for love of Religion had left the countrey, and lived in *England*; when the persecution arose there, he fled into *Emdden* in *Friesland*, where he professed Medicine, and by that occasion was made known to *Anna* Countesse of *Friesland*, then a widow, who employed him in a Commission to the Queen Regent, in the year 1554. His Commission giving him some liberty, he kept most company with those he saw well affected in Religion; and during the time of his aboad, was a great encourager of the professors. Returning the next year with commendatory letters from the same Countesse to Queen Regent, he made his stay in *Edinburgh*, where notwithstanding he was visited with an heavy sickness for divers moneths, he ceased not daily to instruct and exhort such as came unto him, who were neither few, nor of the meaner sort.

In the end of the year *John Knox* came into *Scotland*, to whom many of good note repaired; for he taught daily in the house of one *James Sim* at *Edinburgh*, where he was secretly kept. In his teaching he laboured chiefly to inform his hearers, that in no case it was lawful to be present at the Masse, or to partake of the Papistical Sacraments. *William Maitland* younger of *Letbington*, a man of good learning and utterance, resorting often to his Sermons, and perceiving his vehemency in that point, took occasion one day in the presence of his auditors to say, "That he did not think his doctrine well grounded, and that wise men ought to serve the time, and not expose their lives to unnecessary dangers, and so make themselves unprofitable to the Church. For even the Apostle *S. Paul*, said he, to eschew the tumult of the people at *Ierusalem*, went into the Temple, and purified himself with four men, that had a vow upon them, which otherwise then for eschewing the present danger, he would not have done. To this *John Knox* answered, *That men ought so to serve the time, as they neglect not their obedience unto God, whose Commandement, how great soever the danger be, may not be transgressed. For the ensample alledged, he said, the dissimilitude was great, seeing to go into the Temple to purifie and pay vows, was sometimes commanded by God himself, whereas the Masse from the first invention of it was abominable idolatry, and never allowed of God. Further he said, that it might justly be doubted, if either S. Pauls fact, or the advice that S. James and the Elders of Jerusalem gave him had any good warrant, seeing the event proved not such as they did promise to themselves; for S. Paul was so farre from purchasing thereby the favour of the Jewes, as to the contrary they rising in a tumult, threw him forth of the Temple, and had almost killed him; so as it seemed God did not allow his doing, for that it served to confirm the obstinate Jewes in their superstition. By these and the like answers to the rest of the allegations propounded, the hearers were so satisfied, as they resolved to go no more to Masse, but to make an open separation, whose ensample divers others both of the Town and Countrey followed.*

This being observed by the Priests, and others of the inferiour Clergy they complained to the Bishops, and shewed how the Church-service was contemned, and people drawn away to private conventicles. The Bishops meaning the case to the Queen Regent, she was much commoved; yet advised them to use their own authority, and spare her for a little time, lest the Articles of the marriage which was then treating betwixt her daughter and the *Daulphine of France*, might receive some crosse at the Convention of the Estates. Hereupon they took counsel to call *John Knox*, and summoned him to appear in the Church of *Black friers* at *Edinburgh* the fifteenth of *May*. But when the day came, they took a new device and deserted the Diet, pretending some informality in the Summons; howbeit the true cause was, that a number of Barons and Gentlemen were come to the Town to assist him. After that time his preaching grew publick, and was more frequented then before. The Earls of *Glencarn* and *Marshall*, repaired daily thereto, and were so taken with his Sermons, as they did counsell him to write unto the Queen Regent, and

An. 1554.

William Harlow
a Minister.

John Willock a
Convert.

An. 1554.

John Knox re-
turneth into
Scotland.

John Knox his
conference
with young *Le-
thington*, touch-
ing the pre-
sence at the
Masse.

The Priests
offended at the
dishant of the
Masse.

John Knox ci-
ted, and the
Diet deserted.

An. 1556.



He goeth to Geneva.

He is condemned as an heretick, and burnt in effigie.

An. 1556.

Divers prodigious signes.

The esteem of the Clergy decayeth.

Mr. John Douglas a Carmelite forsaketh his Order.

The Preachers cited before the Council.

A Proclamation for the borders.

The Gentlemen of the West complain of their oppression.

and intreat her to make a Reformation of the Church; which he did; the letter was delivered by the Earle of *Glencarne*, but she calling it a Pasquill, gave the same to the Archbishop of *Glasgow*, and made no more accompt thereof. This is that letter which was afterwards published in Print, and intituled, *A letter to Queen Dowager*.

Letters about the same time were brought to *John Knox* from the *English* Church at *Geneva*, declaring that they had elected him to be their Preacher, and requesting him to come and accept the Charge. This letter he communicated with those that were his ordinary auditors; and when he saw them exceedingly grieved for his departing, gave his promise to return, how soon they should finde it fit to recall him.

Soon after he took leave of them and went to his journey, but was not well gone, when upon a new citation directed by the Clergy (because he appeared not) he was condemned for an heretick, and burnt in effigie, at the Mercat-crosse of *Edinburgh*; This was done in the moneth of *July*, 1556. the copy of the sentence being sent unto him, he published an Apology, intituling it *An appellation from the Clergy to the Nobility and Commons of Scotland*.

This year many prodigious signes were observed: A Comet of that kind, which the Astronomers call *彗星*, the vulgars a fire Bissome, shined the whole moneths of *November*, *December*, and *January*; great Rivers in the midst of winter dried up, and in the summer swelled so high, as divers Villages were therewith drowned, and numbers of cattel feeding in the valley grounds carried to the sea; Whales of a huge greatnesse were cast out into sundry parts of the River of *Forth*; hailstones of the bignesse of a Doves egge falling in many parts, destroyed abundance of Cornes; and, which was most terrible, a fire Dragon was seen to flie low upon the earth, vomiting forth fire both in the day and night season; which lasted a long time, and put the people to a necessity of watching their houses and Corn-yards. These direful signes (as every man is led by his fancy to presage) were taken by some to be prognosticks of great troubles that should ensue upon the Match with *France*; others said that thereby was signified some great change in the estate of the Church.

And indeed after this the estimation of the Clergy daily diminished, and divers of that number relinquishing their order, made open profession of the truth. Mr. *John Douglas*, a Carmelite Frier, forsaking his Order, became a Chaplain to the Earl of *Argyle*, who resided then at Court, and spoke openly in his Sermons against Popish superstitions. In *Dundy*, *Paul Methven* did publickly exhort the people to renounce the doctrine of *Rome*, and submit themselves to the doctrine of *Christ*. And in all the parts of the countrey, some were daily breaking forth, especially from the Cloisters; and declaiming against the corruptions of the Church. The Bishops perceiving it would be to no purpose to convene the Preachers before themselves for heresie, moved the Queen Regent to call them before the Councell for raising mutinies, and stirring up people to sedition, hoping that way at least to restrain their publick teaching: but at the day appointed for their appearance, such numbers of people did accompany them, as it was held safest not to call them till the multitude was disperst; and for that effect a Proclamation was given out, charging all persons that were come to the Town without licence of the Authority, to repaire immediately to the borders, and attend the Lieutenant in the service against *England*, for the space of 15. dayes.

The Gentlemen of the West countrey, who were but lately returned from the same service esteeming this a sort of oppression, went in a tumult to the Palace, and entering the Queens Privy chamber, complained of the unreasonable Proclamation that was sent forth. The Queen began to excuse the matter, and shew the necessity of their attendance for some short time, but they would not be satisfied; And one *James Chalmers* of *Gairgirth*, a froward and furious man, stepping forward, said, *We know Madam that this is the device of the Bishops who stand by you; we avow to God it shall not go so, they oppresse us and our poor tenants for feeding their idle bellies, they trouble our Preachers, and seek to undoe them and us all; we will not suffer it any longer.*

longer. And with those words, every man made to his weapon. The Queen being extremely feared, gave them many good words, praying them to use no violence, and saying, that she meant no ill to their Preachers; that she would hear the controversy betwixt the Bishops and them; and that the present Diet with the Proclamation given out should be discharged: so the force ceased, and all was quiet for that time.

An. 1558.

Not long after, there arrived a messenger from the *French King* with letters to the Nobility, desiring that the marriage should be consummated betwixt the young Queen, and the *Daulphin* his son, and that certain Commissioners should be sent to assist the solemnity. A convention of Estates being called to this purpose in *December* following, choice was made of eight persons to go in that journey; for the spiritual Estate were named *James Beaton* Archbishop of *Glasgow*, and *James Stewart* Prior of *S. Andrews*, base brother to the young Queen; For the Nobility, *Gilbert Kennedy* Earl of *Casils*, *George Lesley* Earle of *Roths*, and *James* Lord *Fleming*; For the Burrowes, *George* Lord *Seaton* Provost of *Edinburgh*, and *John Areskin* of *Dun* Provost of *Montrosse*.

Commissioners chosen for the young Queens marriage with the Daulphin.

The great dyasters that happened both in their going and returning, brought many to think the marriage would not prove happy, and prosperous. For having shipped at *Leith* in the moneth of *February*, they were dispersed by a mighty tempest, and one of their vessels that carried their horses, cast away at *S. Ebbes* head, before they left the *Scottish* shore; another wherein the Earle of *Roths*, and Bishop of *Orkney* sailed, with all the furniture for the marriage (which was very rich and costly) perished upon the coast of *France*, nigh unto *Bulloign*, the Earl and Bishop hardly escaping by the shipboat, which carried them to land. Neither had they any better fortune in their return homewards; for at *Deep*, divers of the chief persons fell sick and died. The Bishop of *Orkney*, a man of singular wisdom and experience, (who in his time had performed many honourable ambassages, to the credit and benefit of his countrey) ended there his life the 14. of *September*, 1558. the Earl of *Roths* died two dayes after him, and the Earl of *Casils* Thesaurer of the Realm, a vertuous Nobleman, went the same way. The Lord *Fleming* a brave young Nobleman returned to *Paris*, suspecting some contagion, and deceased in *December* following. These deaths falling out so suddainly together, bred a suspicion in many that they were made away by poison: which was the rather believed, because the *French King* was known to be displeased for their refuse of the matrimonial Crown to his son; however it was, the apprehension taken therefore, begate a great hatred of the *French* amongst the people of this Realme.

The misfortunes that happened in that voyage.

An. 1558.

In the moneth of *April*, *Walter Mill* an old decrepit Priest having ceased from saying of Masse, became suspected, and was upon the same apprehended in *Dysert* by Sir *George Strachen*, and Sir *Hugh Torry*, two of the Archbishops of *S. Andrews* Priests; he was kept in the Castle, and earnestly laboured to recant and acknowledge his errors: but continuing firm and constant in his opinions, his trial at last made, and he accused in presence of the Bishops of *S. Andrews*, *Murray*, *Brichen*, *Cathnes*, and *Athens*; the Abbots of *Dunfermlin*, *Lundors*, *Balmerinoth*, and *Couper*; Dean *John Winname*, Sub-prior, *John Grison* a black Frier, Mr. *William Cranston* Provost of the old Colledge, and divers other Doctors of the University. When he came into the Church, and was led to the place where they had appointed him to stand, he looked so feeble partly by age and travel, partly by ill entertainment, as it was feared none should hear what he answered. Yet how soon he began to speak, he delivered his mind with such quickness and courage, as amazed his very enemies.

The history of Walter Mill Martyr.

Sir *Andrew Oliphant*, one of the Archbishops Priests, commanded him to arise (for he was upon his knees) and answer to the Articles, said, Sir *Walter Mill* get up and answer, for you keep my Lord here too long; he notwithstanding continued in his devotion, and that done he arose, and said, he ought to obey God more then man; I serve a mightier Lord then your Lord is. And where you call me Sir *Walter*, they call me *Walter*, and not Sir *Walter*; I have been too long one of the Popes Knights: now say what you have to say.

His examination.

Oliphant

An. 1558. *Oliphant then began with this question, What thinkest thou of Priests marriage? He answered, I esteem it a blessed bond, ordained by God, approved by Christ, and made free to all sorts of men; but you abhorre it, and in the mean time take other mens wives and daughters, you vow chastity, and keep it not.*

Oliphant proceeding said, Thou sayest that there is not seven Sacraments. He answered, Give me the Lords Supper, and Baptisme, and take you the rest and part them amongst you.

Oliphant. Thou sayest that the Masse is idolatry. He answered, A Lord sendeth and calleth many to his dinner, and when it is ready ringeth the Bell, and they come into the Hall, but he turning his back upon the guests, eateth all himself, giving them no part, and so do you.

Oliph. Thou deniest the Sacrament of the Altar to be the body of Christ really in flesh and blood. He answered, The Scripture is not be taken carnally, but spiritually; and your Masse is wrong: for Christ was once offered on the Crosse for mans sin, and will never be offered again, for then he put end to all sacrifices.

Oliph. Thou deniest the office of the Bishop. He answered, I affirm they whom you call Bishops, do not Bishops works, nor use the Offices of Bishops, but live after their own sensual pleasures, taking no care for the flock, nor yet regarding the word of God.

Oliph. Thou speakest against pilgrimage, and callest it a pilgrimage to whoredome. He answered, I say that pilgrimage is not commanded in the Scripture, and that there is no greater whoredome in any place then at your pilgrimages, except it be in the common brothels.

Oliph. Thou preacheest privately in houses, and sometimes in the fields. He answered, Yea man, and upon the sea too, when I am sailing.

Oliph. If thou wilt not recant thy opinions, I will pronounce sentence against thee. He answered, I know I must die once, therefore as Christ said to Judas, Quod facis fac citò; you shall know that I will not recant the truth, for I am corn, and no chaffe; I will neither be blowne away with the wind, nor burst with the flaile, but will abide both. These answers he gave with a great boldnesse, to the admiration of all that were present.

Then did Oliphant pronounce sentence, ordaining him to be delivered to the temporal Judge, and burnt as an heretick; but because no man could be found to supply the place of a Judge, (for Patrick Lermond Bailiffe of the Regality did absolutely refuse) nor in the whole City so much as a cord to be had for money to tye him, after he should be condemned, his life for one day was prolonged. The next morning one of the Archbishops domesticks called Alexander Somervaille, a wicked and flagitious man, supplying the place of the temporal Judge, condemned him to the fire; and because no cords could be had, the ropes of the Archbishops Pavilion were taken to serve the purpose.

*As the time of his suffering drew near, his constancy and courage still encreased; for being conveyed to the fire with a number of armed men, when he was come to the place, and the Priest Oliphant did command him to go to the stake, he said, No, I will not go, except thou put me up with thy hand; for by the law of God I am forbidden to put hands in my self, but wilt thou put to thy hand and take part of my death, thou shalt see me go up gladly. Then Oliphant putting him forward, he went up with a chearful countenance, saying, Introibo ad altare Dei; and desired he might be permitted to speak to the people. Oliphant, and the executioners said, that he had spoken too much, and that the Bishops were offended with the delay. Yet some youths that stood by, willed him to speak what he pleased, giving the executioners and Bishops both to the devil. So after he had made his prayer upon his knees he arose, and standing upon the coales, spake to the people a few words to this effect. "Dear
" friends, the cause why I suffer this day, is not for any crime laid to my charge,
" though I acknowledge my self a miserable sinner before God, but only for the
" defence of *Iesus Christ*, set forth in the old and new Testaments: for which as
" many faithful Martyrs have offered their lives most gladly, being assured after
" their death to enjoy endlesse felicity; so this day I praise God, that he hath called
" me of his mercy amongst the rest of his servants, to seal up his truth with my
" life,*

Sentence pronounced
against Walter
Mill.

The Bailiffe of
the Regality re-
fuseth to be
Judge.

His constancie
at his suffering.

“ life, which as I have received of him, so willingly I offer it to his glory. There-
 “ fore as you would escape eternal death, be no more seduced with the lyes of the
 “ Priests, Monks, Friars, Priors, Abbots, Bishops, and the rest of the sect of An-
 “ tichrist; but depend onely upon *Iesus Christ* and his mercy, that you may be
 “ delivered from condemnation.

An. 1558.



The people ex-
 ceedingly mo-
 ved at his spee-
 ches.

The multitude that lookt on made a great lamentation, for they were exceed-
 ingly moved with his words. When the fire was kindled, and began to flame, he
 cried, *Lord have mercy on me, pray good people whilst there is time*; and thus de-
 parted, shewing a wonderful courage and resolution of spirit. The Citizens took
 his death so grievously, that lest it should be forgotten, they made up a great heap
 of stones in the place where his body was burnt; and when the Priests had caused
 the heap twice or thrice to be carried away, denouncing such as should bring any
 stones thither accursed; still it was renewed, untill watches were appointed to see
 who they were, that brought any stones to the place, and charge given to appreh-
 hend them. The Epitaph made upon him is worthy the inserting.

*Non nostra impietas, aut acta crimina vitæ
 Armarant hostes in mea fata truces.
 Sola fides Christi, sacris signata libellis,
 Quæ vitæ causa est, & mihi causa necis.*

His Epitaph.

This man was the last Martyr that died in *Scotland* for Religion, and his death
 the very death of Popery in this Realme; for thereby the minds of men were so
 greatly enraged, as resolving thereafter openly to profess the truth, they did bind
 themselves by promise and subscription to oaths, if any should be called in question
 for matters of Religion at any time after, they should take up Armes, and join
 in defence of their brethren against the tyrannous persecution of the Bishops.

His death, the
 death of Pope-
 ry in this king-
 dome.

The work of Reformation did hereupon take a beginning, the story whereof be-
 fore I set down (after I have remembred some worthy persons that lived in those
 times) I will adde the Catalogue of our Bishops in the rest of the Sees of this King-
 dome, so farre as I have been enformed or learned by diligent search.

The worthy
 men that lived
 in this time.

Sir *David Lindsay* of *Mont* shall first be named, a man honourably descended,
 and greatly favoured by King *JAMES* the first. Besides his knowledge and deep
 judgement in Heraldry (whereof he was the chief) and in other publick affairs, he
 was most religiously inclined, but much hated by the Clergy, for the liberty he used
 in condemning the superstition of the time, and rebuking their loose and dissolute
 lives. Notthelesse he went unchallenged, and was not brought in question; which
 shewed the good account wherein he was held. Divers poesies he wrote in his mo-
 ther tongue, which gave evidence of his quicknesse of wit, and the knowledge he
 had in histories. In the beginning of the Governours Regencie, he did attend him
 till the Governour misled by ill counsel, made his authority subject to the Car-
 dinal. After that time he lived for the most part private, and died in a good age, the
 Queen Regent having the administration of affairs.

Sir *David
 Lindsay* of the
Mont.

Next to him shall be remembred Mr. *Patrick Cockburn*, a Gentleman of the
 house of *Langton*, in the *Merse*; this man having attained by his studies to great
 learning, lived a long time in the University of *Paris* well esteemed. What course he
 took afterwards I know not, nor where he died; but by the Treatises yet extant
 that he wrote, it appeareth that he was a man of good learning, and a favourer of
 the truth.

Mr. *Patrick
 Cockburn*.

The third shall be *John Mackbrair* a Gentleman of *Galloway*, who forsaking the
 cuntry for Religion, became a Preacher in the *English Church*; in the time of
 Queen *Maries* persecution he fled to *Frankford*, and served the *English* congrega-
 tion as Minister. Afterwards called by some occasion to the charge of a Church in
 the lower *Germany*, he continued there the rest of his dayes. Some Homilies he left
 upon the Prophecies of *Hosea*, and an History of the beginning and progresse of the
English Church.

*John Mack-
 brair*.

To these I shall adde our countryman *Robert Wachop*, though he lived and died

*Robert Wachop
 Archbishop of
 Armagh*.

An. 1130.

an adversary to the truth, seeing by his vertue and learning he purchased both credit and dignity in forain parts; and, which almost exceedeth beliefe, being blind from his very birth, onely by learning the lessons and conferences of learned men, he grew to such knowledge, as in the University of *Paris* none of the Doctors was held more learned, nor had a more frequent auditory: being afterward promoted to the Archbishoprick of *Armach* in *Ireland*, he was employed in divers legations to the Emperour, and King of *France* by Pope *Paul* the third, which he discharged with such prudence, as he came to be greatly esteemed with all the Princes to whom he was known. At last in his return homewards from *Rome*, in the year 1551. he died at *Paris*, much lamented of all that University.

Coming now to set down the Catalogue of Bishops in the rest of the Sees, I shall keep the order of the Provinces, and begin with *Dunkeld*, the Bishop whereof hath hitherto been reckoned in the first place.

The Bishops of DUNKELD.

Dunkeld erected
to be a Bishop-
rick.

The successi-
on of Bishops
in that See.

In the City of *Dunkeld*, there was of old an Abbey founded by *Constantine* the third King of *Picts*, about the year 729. to the memory of *S. Columbe*, in which the *Culdees* were placed; King *David* in the year 1130. did erect it to be a Bishops See; and recommending one *Gregorius* to the place, obtained Pope *Alexander* the third his confirmation thereof; he sate 42. years, and was much favoured by that good King. The lands of *Anchtertaile*, with divers others appertaining to that See, were of King *David* his gift. This Bishop diet at *Dunkeld*, in the year 1169.

2. *Richard*, Chaplain to King *William*, was elected in his place, and consecrated in *S. Andrews* upon the vigils of *S. Laurence* by *Richard* Bishop of *S. Andrews*. This Bishop was commended for vindicating the Church of *Abercorne* forth of the hands of a laick person named *John Avonele*, who claimed the Patronage thereof; he sate four years, and dying at *Crawmold*, was buried in *S. Colmes Inche* in the year 1173.

3. *Cormacus* succeeded in his place, to whom King *William* gave the lands of *Dalgathy*; he died in the year 1177.

4. In his place was chosen *Walter de Bidden*, who was Chancellour to King *William*, but he lived not many years.

5. *John Scot* an *English* man born, being Archdeacon of *S. Andrews*, had been elected Bishop of that See, but that his election being withstood by the King as we shewed before, he was after *Biddens* death promoted by the Popes consent to *Dunkeld*; a man that made conscience of his charge, and was painful in his office. The countrey of *Argyle* was at that time of the Dioces of *Dunkeld*, the people whereof did only speak *Irish*, and neither understood the Bishop, nor he them. Upon this he travelled to have the Dioces divided, and *Argyle* erected into an Episcopal See; and to that effect sent a letter to Pope *Clement* the third, intreating that one *Ewaldus* his Chaplain, who could speak *Irish*, a wise and godly person, might have the charge of that part committed to him; for, *How*, said he, *can I make an accompt to the Judge of the world in the last day, when I cannot be understood of them, whom I teach? The maintenance is sufficient for two Bishops, if we be not prodigal of the patrimony of Christ, and will live with that moderation, which becometh his servants; it shall therefore be much better to diminish the charge, and increase the number of able workmen in the Lords field.* The Pope reading the letter, and considering how earnest he was to be eased of his charge, though to his own temporal losse, said, *It is the study of others to enlarge their bounds and livings, not caring how it goeth with the people, and here is one that requesteth his Benefice may be parted in two. O how few Bishops are now in the Christian world so disposed!* and so commending greatly the Bishops disposition granted his request, sending back *Ewaldus* (for he was the messenger) consecrated Bishop as was desired. The Bishop glad to have obtained his desire, entered *Ewaldus* to the charge, and followed diligently his own in that part which remained. Some few dayes before his death, he rendred himself a Monk in *Newbotle*, and there departed this life in the year 1203. his body was interred in the Quire of that Church upon the

the North side of the Altar. *William Bining*, afterwards Abbot of *Comper*, did write his life, but the story is perished. An. 1210.

6. After his death *Richard Provand*, King *Williams* Chaplain, was consecrated Bishop, and lived a few years onely in the See, for he departed this world in the year 1210. and was buried in *Inchcolme*.

7. *John Leicester*, cousin to King *William*, and elected successour, and dying at *Crammond*, was buried in *Inchcolme* with his predecessour in the year 1214.

8. *Hugo*, called *Hugo de sigillo*, a Monk of *Aberbrothock*, succeeded unto *Leicester*, a man of a sweet and amiable disposition, he was called *the poor mans Bishop*, and lived not a year after his consecration.

9. *Matthew* Chancellour of *Scotland* was then elected, but he died the same year before he was consecrated.

10. To him succeeded *Gilbert* Chaplain to Bishop *Hugo*; he sate 22. years, and died in the year 1236.

11. *Galfrid Liverance* was elected in his stead This Bishop was a zealous man, he reformed the service of the Church *ad usum Sarum*; and ordained the Chanons to make residence at *Dunkeld*, giving them the Commons of that Church for their entertainment. He died at *Tibbermoore* in the year 1249. and was buried at *Dunkeld*.

12. After *Galfrids* death *Richard* Chancellour to the King succeeded, and dying the same year at *Crammond*, was buried in *Inchcolme*.

13. After him Mr. *Richard* of *Innerkething*, Chancellour of *Scotland*, was elected, who sate 22. years, he built the great Quire of the Abbey Church in *Inchcolme* upon his own charges, and died very old in the year 1272. He is much commended for his faithful service done to King *Alexander*. His body was interred at *Dunkeld*, and his heart laid in the North wall of the Quire, which he built in *Inchcolme*.

14. *Robert Sutevile* Dean of *Dunkeld*, debarred at first from the Bishoprick of *S. Andrews*, by the ambitious suite of *Abill* the Archdeacon, was at this time preferred to be Bishop of *Dunkeld*; he died in the year 1300. and governed the See 28. yeares, *Moribus, scientia, & vita praeclarus*.

15. After him *Matthew* by recommendation of *Edward* the first of *England*, who kept *Scotland* then under subjection, was advanced to the Bishoprick, and sate 12. yeares.

16. *William Sinclair* a brother of the house of *Roslin*, and Uncle to *William* Lord *Bisset*, succeeded. This is he that King *Robert* the *Bruce* used to call his own Bishop; for the King being in *Ireland* with an Army for the supply of his brother *Edward*, the *English* taking advantage of his absence, sent two Armies to invade the kingdom; the one by land, the other by sea. The Sea Army landed in *Fife*, near to *Anchertail*, (where the Bishop had his residence) which the Sheriffe of the countrey for hindering their depredations went to encounter, but at the sight of their numbers he gave back and fled; the Bishop hearing of their flight, brought forth his ordinary train, and casting himself in the Sheriffes way, asked why he fled: and having checkt him bitterly for his cowardize, called for a lance, crying aloud, *You that love the honour of Scotland, follow me*. By this forwardnesse he put such courage in the rest, as they returning upon the *English*, did chase them all back to their ships, one of the ship-boats overcharged with the company that leapt into it was sunk, and in that conflict were drowned and slain 500. *English* and above. The honour of this victory was wholly ascribed to the Bishops courage, for which he was greatly favoured by the King. He built in his time the Quire of *Dunkeld* from the ground, which the Army of *England* had demolished; redeemed the lands of *Green oke* from one *Simon Cader*, and gave to his Archdeacon the Church of *Logia Leguhy*, with the Vicaridge pensionary of little *Dunkeld*; afterwards dying the 27. day of *June*, Anno 1338. he was buried in the Quire of *Dunkeld*, in a marble Tombe by himselfe erected.

17. The same year one *Duncan* an *English* man born was consecrated Bishop; he set in few the lands of *Fordel* to *Walter Fotheringham*, at the desire of *Edward* *Baillol*, and died in the year 1364. after he had sate 26. yeares.

An. 1376.

18. To him succeeded *Michael of Monimuske* Chamberlain of *Scotland*; he died the first of *March*, 1376. and was buried in the Quire of *Dunkeld*.

19. After him *Mr. John Peblis* Chancellour to King *David Bruce*, came to the place, a man learned, and of great authority; he sate 20. years in the See.

20. In the year 1396. *Robert Carden* son to *John Carden* of that ilk, was consecrated Bishop, and governed the See the space of 40. years. He did many good things in his time to his Church, building and enlarging it at his own charge, and acquired thereunto divers lands, as the town of *Crawmond*, with the lands adjoyning, for which he gave in excambion, the lands of *Cambo* in the same Parish, and the lands of *Muchler* besides *Dunkeld*. He died the 16. of *January*, 1436. and was buried honorably in *S. Ninians* Chappel of *Dunkeld*, which himself had built.

21. To him succeeded *Donald Macknachten* Dean of *Dunkeld*, Doctor of the Common law, and Nephew to Bishop *Robert* his predeceffour: he was elected by the Chapter, but King *James* the first misliking the choice, opposed his entry, whereupon he took journey to *Rome* to obtain his election confirmed, and died by the way as he was travelling thither.

22. *James Kennedy* Nephew to King *James* the first by his sister, was then preferred to the See, two years he sate Bishop in *Dunkeld*, and was afterwards translated to *S. Andrews*, as before we have shewed.

23. Upon his translation *Mr. Alexander Lawder* Parson of *Rothow*, and brother germane to the Bishop of *Glasgow*, then Chancellour of the kingdome, was elected Bishop, but he died the same year (which was the year 1440.) at *Edinburgh*, and was buried with his Ancestors in the Church of *Lawder*.

24. *Mr. James Bruce* Parson of *Killmeny*, was after him consecrated Bishop of *Dunkeld* at *Dunfermlin* the fourth of *February* in the year of Christ 1441. and sate Bishop the space of 6. years. In the seventh year he was translated to the Bishoprick of *Glasgow*, and made Chancellour of the kingdome.

25. To him succeeded *Mr. John Ralston*; he was Secretary to King *James* the second, and sate Bishop little above three years, dying in *Dunkeld*, in the year 1450. where he was buried.

26. Master *Thomas Lawder*, Preceptor or Master of *Lowtre*, who had been Tutor to Kings *James* the second in his youth, at the age of 60. years was elected Bishop after *Ralston* by the Kings recommendation; he took great paines in preaching, and by his continual exhortations and exemplary life, wonne that unruly people to the obedience of God and the King. Having finished the building of the Church, he dedicated the same in the year 1454. and adorned it in most magnificent manner. He obtained of the King an erection of the Bishops lands on the North side of *Forth*, into a Barony called *the Barony of Dunkeld*; as likewise the lands in the South, into another which was called *the Barony of Aberlady*: built a Bridge upon the River of *Tay*, nigh to his own Palace; founded a number of Chaplanies, and Prebends, partly in *Edinburgh*, partly in *Dunkeld*; made purchase of two lodgings, one in *Edinburgh*, and another at *Perth*, for the receipt of his succeffours: and having done many good works, resigned his Bishoprick because of his great age, to Master *James Levingston* Dean of *Dunkeld*.

27. This resignation was crossed a while by *Thomas Spence* Bishop of *Aberdene*, whose credit in the Court was great at that time, but upon transaction amongst themselves, the Kings consent was obtained, and he consecrated at *Dunkeld* by *John Hepburn* Bishop of *Dumblaine*, *John Balfour* Bishop of *Brichen*, and the said *Thomas Spence* in the year 1476. He sate seven years two moneths and five dayes, and dying at *Edinburgh*, was buried in the Isle of *Inchcolm*.

28. The Chapter after *Levingstones* decease made choice of *Alexander Inglis* Dean of *Dunkeld*, and Keeper of the Rolls in the time of King *James* the third, but Pope *Sextus* the fourth casting his election, gave the Bishoprick to *George Brown* Chancellour of *Aberdene* (who was then at *Rome*) and consecrated him Bishop in Saint *James* Church, Anno 1484. The King displeased with this promotion, declared him rebel, and complained thereof to the Pope and Cardinals; but the Pope maintaining his own gift, the King was afterwards reconciled to him, and he peaceably

ably possessed in the Bishopricks. This Bishop was a strict observer of discipline, and by his austere and rigorous formes wrought a great reformation in all the parts of his Dioces, which he distributed in four Deanries, placing one in the Borders of *Arholl* and *Drumalbane*, another in *Fife*, *Folbrick*, and *Strathern*, the third in *Angus*, and the fourth in the parts besouth *Forth*. The penalties of offenders he gave to the use of the Church where they resided, saying commonly, *Oleum peccatorum non impinguet caput meum*. He was a man given much to hospitality, and withall very careful of the Church, for he recovered to the See the lands of *Fordel* and *Muckarsie*, with the Forest of *Birnan*, that had been alienated before his time, founded divers Prebends and Chaplanries, and gave many ornaments to the Cathedral Church. Before his death he was tormented with the Felt gravel, which he bare most patiently, professing that *he was glad to endure those pains as serving to wean his heart and affection from the love of this world*; and so departed this life most happily the twelfth of January, 1514.

An. 1010.



29. *Andrew Stewart* brother to *John* Earl of *Athol*, was upon his death postulated Bishop, but it took no effect, *Master Gawan Douglas* brother to the Earl of *Angus*, and *Provost of Saint Giles* in *Edinburgh* being preferred thereto by Pope *Leo* the tenth. This gift was quarrelled by the Duke of *Albany* Governour, and the Bishop called in question for his trafficking with *Rome* without licence; whereupon he was committed, and continued prisoner a whole year. Afterwards compounding with *Andrew Stewart*, to whom he gave the Churches of *Alight*, and *Cargill*, he got peaceable possession of the See; yet the troubles that followed in the countrey, made him forsake the same, and undertake a journey to *Rome*. In his way thither he died of the plague at *London* in *Savoy* house in the year 1522. A man learned, wise, and given to all vertue and goodnesse; some monuments of his engenie he left in *Scottish* meeter which are greatly esteemed, especially his translation of *Virgil* his books of *Aeneids*.

30. *George Creighton* succeeded, a man nobly disposed, and a great house-keeper, but in matters of his calling not very skilled. In the question of Religion (which was in his time severely agitated) he loved to have things calmly carried, but his counsel took little place. It was he that said to one of his Vicars, whom he was perswading to leave his opinions, *That he thanked God that he knew neither the Old nor the New Testaments, and yet had prospered well enough all his dayes*.

31. *Robert Creighton* his Nephew was preferred upon his death to the See, in whose time fell out the reformation of the Church.

The Bishops of ABERDENE:

1. *Malcolme* the second in memory of the defeat he gave the *Danes* at *Murthlack*, founded there a Bishops seat in the year 1010. and preferred one *Beanus* thereto, a man of singular vertue and godlinesse, gifting to him and his successors the lands of *Murthlack*, *Cloweth*, and *Dummeth*. This Bishop sate 32. years, and dying in *Murthlack*, was buried at the Postern door of the Church, which himself had built.

The succession
of Bishops in
the See of
Aberdene.

2. *Donortius* who succeeded him, lived Bishop 42. years, and was interred with his predecessor.

3. *Cormachus* the third Bishop of this See governed the same 39. years, and was buried likewise with his predecessors.

4. *Neftanus* succeeded, in his time King *David* did translate the See from *Murthlack* to *Aberdene*, and gave to him and his successors the lands of old *Aberdene*, *Sclaty*, *Goull*, *Moorecroft*, *Kurmundy*, *Mowmenlach*, *Clat*, *Talynstine*, *Rayne*, *Dawyot*, and their Churches, with divers others lands, whereby the See was greatly enriched: this Bishop died in the year 1154. having sate 14. years at *Murthlack*, and 17. at *Aberdene*.

5. After the death of *Neftanus*, one *Edward* was promoted, who was greatly favoured by *Malcolme* the fourth, called the Maiden, and was thought to have perswaded the King to continue in his single life: he was the first Bishop that brought the Chanons to do ordinary service in the Church of

An. 1010. *Aberdene*, and died in the eleventh year after his consecration.

6. *Matthew Kinninmouth* Archdeacon of *S. Andrews* succeeded, a man famous for learning, and other excellent vertues. In his time began the Cathedral Church of *Aberdene* to be built unto the memory of *S. Machar*, to whom King *Malcelme* gave the lands of *Tuligreg*, *Fetternew*, *Invercrowden*, *Banchordeneif*, *Balhelvy*, and the Patronages of the Churches. He sate Bishop 34. years.

7. *John* Prior of *Kelfo* was next elected Bishop; this man is greatly commended for liberality to the poor, and magnificence in the buildings and ornaments of the Church; he died the next year after his consecration.

8. One *Adam* was assumed in his place rather for satisfying King *Williams* pleasure, then for any good affection born to the man by the rest of the Clergy; at first he shewed no great care in his charge, giving himselfe wholly to temporall affaires; yet after King *Williams* death, he grew quite another man, setting himself to amend his former negligences. He sate 21. years.

9. Upon his death the Clergy and people of *Aberdene* postulated *Matthew* Chancellour of the kingdome, who was willing to accept the place, but *Dunkeld* falling void in the mean season, King *Alexander* the second preferred him to that See.

10. And *Gilbert Striveling* a man well born, and much esteemed for his integrity of life, obtained the place, but he lived not many years, departing this world in the eleventh year after his election.

11. *Radolph* Abbot of *Aberbrothok* succeeded, being with an uniform consent of the Clergy and people elected Bishop; he was brought with great difficulty to accept the charge; a man of great prudence, and painful in his calling: for he travelled through all his Dioces on foot, preaching and visiting the Churches, that he might know their true estate; and is said never to have changed his form of living that he used in the Cloister, and to have been more abstinent and sparing both in diet and apparel, then he was before; he died some eight years after his consecration, which was about the year of Christ, 1247.

12. *Peter Ramsay*, a man of good learning, was next chosen Bishop; he was a man very kind to the Chanons, and parted many of his rents amongst them; he sate Bishop ten years, and deceased about the seventh or eighth year of King *Alexander* the third his reign.

13. Presently after his death *Richard Pottock* an *English* man was elected, who sate Bishop 13. years.

14. *Hugh Benham* elected by the Monks went to *Rome*, and was there consecrated by Pope *Martin* the fourth; after he had remained there the space of a year, he returned to *Scotland*, at which time there was a great contention between the Churchmen and the people of the countrey for certain tithes, that the Priests did exact too rigorously. The difference being submitted to him, he composed the same in a Convention of the Clergy at *Perth*, wherein the King and many of the Nobles were present, and died of a Catarrhe, being very old, in the Isle of *Loughgoull*, about the year 1280.

15. *Henry Cheyn*, Nephew to the Lord *Cummyn*, was preferred to the See; the troubles which in his time brake forth in the Kingdome between *Bruce* and *Baliol*, wrought him great vexation; for whilest he took part with his Uncle against *Bruce*, he was banished into *England*, where he lived untill the end of these warres, and then licenced by King *Robert* to return, he gave himselfe to repair the Church, and restore all things, which the licentiousnesse of warre had disordered: he died the same year in which King *Robert* the *Bruce* ended his life, that is, in the year of Christ 1329. which was the 48. year after his consecration.

16. *Alexander Kinninmouth* Doctor of Divinity succeeded in his place, a great lover of learning and learned men, whom out of all parts he drew to make residence with himself. In the winter season he dwelt at *Murthblack*, and when the spring opened, at *Aberdene*, because of the confluence of people all that time of the year: all the summer and harvest time he remained at *Fetterneir* and *Rain*, that he might the more commodiously discharge his office in every part of his Dioces.

The

The *English* in his time set on fire the Town of *Aberdene*, which burnt six dayes together, and did much harm; his own Palace, with the whole houses of the Chanons were thereby consumed, which was thought to have hastened his death; he departed this life in the eleventh year of his consecration.

An. 1010.



17. *William Deyn* was made Bishop in his stead, the most of his time the Realme was infested with warres, whereby he was impeded in many good purposes that he intended, and had much adoe to keep the Clergy in obedience, for every man during the warre, took liberty to do what they thought good; he sate Bishop the space of ten years.

18. After him *John Raith* Doctor of Divinity was chosen Bishop by the Monks; he lived only six years Bishop, and was buried in the Quire of *Aberdene*.

19. King *David Bruce* returning from *France* about this time had brought with him in company one *Nicolaus*, a corrupt and ambitious man, who procured the Kings recommendation to the Chapter of *Aberdene* for his election. The Chanons excused themselves, saying, *The Church of Aberdene was not so scant of men as to admit an unworthy person into the place. And howsoever the King in his Kingdome might do what he pleased, they were by their oathes astricted to admit none but learned men, and such as were approved for integrity of life: wherefore intreated the King in humble manner to suffer them, as they had been accustomed, to elect some wise and grave person, that could discharge the place with credit:* which after some moneths they obtained, making choice of one *Alexander Kinninmouth*, who was consecrated in the Town of *Perth*, the King himself being present. This man answered fully the hopes conceived of him, and took great pains in his calling; for on the ferial dayes he taught the Civil and Canon law, and the holy dayes he spent in preaching and prayer. Thrice every week he fasted, contenting himself in the holy Eves with bread and water. He caused demolish the old Church of *Aberdene*, which he esteemed not so beautiful as was fitting for a Cathedral Church, and laid the foundation of another more magnificent. But ere the work was advanced six cubits high, he was employed by King *Robert* the second in an Ambassage to *France*, for renewing the old league, which he worthily performed; shortly after his return he died, having sate Bishop 24. years.

20. *Adam Conningham*, a man well descended, and of great authority, was after him elected. This Bishop is said to have been in such accompt for the his wisdom and sincerity, that in all matters of importance propounded in Councel, his opinion did ever prevail. His frequent employments with the *French* King, as well before, as after his preferment to the See, and the happy successe he had therein, manifested his prudence and dexterity of wit: yet as it falleth out often in Courts, upon some envious delations the King became jealous of him, as if he had practised with some Noblemen against the Royal succession, and pressed to reduce the old form of election of Kings. Finding that the King had taken some impression of the report, albeit nothing was more false, he took counsell to retire himself, and attend his charge at home: where he had not long staid, but he fell in a new trouble, with a base sonne of the Kings, named *Alexander*, a man extremely vicious, and for his oppressions hated of all good men. To the Bishop he bare a special grudge, because of the liberty he had used in reproving his wickednesse; and hearing in what dislike the Bishop was with the King, he violently possessed himself in the Bishops lands, thrust forth his tenants, and behaved himself as Master, and Lord of all. The Bishop complained to the King, but finding no redresse, he pronounced him excommunicate, wherewith the wicked man incensed, associating a number as wickedly disposed as himself, did swear to take the Bishops life, and came to *Aberdene* of that intention. Whereof the Bishop getting advertisement he went forth to meet him on the way, and how soon he saw him, discovering his head, which was all white, (for he was a man of great age) said, *If this be it that thou seekest, I have brought it unto thee, take thee head, life, and all.* The company admiring the old mans courage, and moved with some compassion of his white haire, perswaded *Alexander* not to meddle with his blood. The report of this insolencie going to the King, he sent for his sonne, and committing him to prison, caused satisfaction to be given for all the

An. 1390.

the injuries the Bishop had sustained, and surety for his indemnity thereafter. After which he enjoyed reasonable quietnesse untill his death, which happened in the year of Christ, 1390. having sat Bishop ten years.

21. *Gilbert Grimlaw*, a man learned, wise, and of great esteem with the Nobles of the Kingdom, was consecrated Bishop of *Aberdene* the same year; he had been Chancellour to King *Robert* the third a long time, which office he discharged with great credit, and to the contentment of all the subjects: after the Kings death (the Earle of *Fife* brother to the deceased King then governing the Realm) he was employed in an Ambassage to *Charles* the seventh of *France*, and went thither in the company of the Earls of *Buchan* and *Douglas*, who with divers other Noblemen were afterward unfortunately killed at the battel of *Vernoil*. The Bishop at his return found all things out of frame, the Governour dead, his sonne *Mordach* placed in his room, and the whole estate miserable by the riots and oppressions which were used every where without punishment. This made the Bishop retire himself and live private at home, where soon after he died of a consumption in the year 1424. his body was interred in the Quire of the Cathedral Church.

22. After his death *Henry Leighton* Bishop of *Murray* was translated to *Aberdene*, a man learned both in the Civil and Canon law, of great experience, and in that regard postulated Bishop by the Chanons: he stood doubtful a while whether he should condescend to the charge or not, yet was induced to consent at last, and so came to *Aberdene*, where he applied himself carefully to do the charge of a Bishop. But the Estates of the Realme meeting in a solemn convention for putting some order to the present confusions, he was sent with some others in Commission to *England*, to treat for redemption of King *James* the first, who was there detained captive. This businesse happily performed, he returned with the King, to whom he gave great content by his services and forwardnesse in reforming publick abuses; he advanced greatly the fabrick of the Church of *Aberdene*, and bestowed large summes for perfecting that work; he built also the Chappel called *Saint Johns Chappel* within the Cathedral, and was therein buried himself in the year 1441. 17. years after his translation.

23. *Ingram Lindefay* Doctor of the Canon law, was upon his death with the great applause of all good men received Bishop, he was at that time very old, and by the policie of one *Alexander* who aimed at his place, moved to take journey to *Rome*: the man imagining that he should die in the voyage, whereof yet he was deceived. For the Bishop sailing to *Marselles* in *France*, went from thence by sea to *Rome*, and after some moneths stay returned more healthful then before. 17. yeares he continued Bishop, and ruled the affaires of the Church very wisely. A man constant in his promises, of a spare diet, but very hospitable, for he entertained great numbers both of learned men and others, especially the eldest sonnes of Noblemen and Barons in the North parts; and notwithstanding of his age, and publick employments, was ever at study when he could find any free time from those cares. A little before his death he fell in the Kings displeasure for denying admission to some whom the King had presented to certain Benefices, for that they were either meer ignorants, or for their years incapable. But this did not much trouble his mind, as being no way conscious to himself of any just offence offered. He died at *Aberdene* much lamented of the Citizens who loved him dearly, and buried him in the Cathedral Church with great solemnity.

24. Then was *Thomas Spence* Bishop of *Galloway* translated to the See, a man of active spirit, and fitted for great busines. Whilest he was yet very young, he went to *France*, trusted with a Commission by King *James* the second, and by his wise behaviour wonne such favour with *Charles* the seventh then reigning, as after divers great services performed to that King, he returned honoured with the place of a Chancellour, and a yearly pension of 3000. *French* Crownes, about which time the Bishoprick of *Galloway* falling void, he was held most worthy to be preferred thereto, and from thence by the occasion of Bishop *Lindefay* his death, at the earnest intreaty of the Chanons, was translated hither; most of his time after he was translated, he spent in Legations from the King and Estate, sometimes to the Duke

Duke of *Burgundy*, and sometimes to *Edward* the fourth of *England*. Not thelesse mindeful of his Church he adorned the same in a most rich and sumptuous manner, and built of new the Bishops palace, which since the burning by the *English* had been wast and ruinous. Amongst other charitable works, he erected an hospital at *Edinburgh*, acquiring thereto divers lands, and ended his life by sicknesse the fifteenth of *April* 1480. his body was interred in the *Trinity* Colledge of *Edinburgh*.

An. 1480.

25. *Robert Blaicater* being for the time at *Rome*, was by the provision of Pope *Xistus* the fourth made Bishop, at whose hands also he received consecration; a Gentleman well descended, and of good knowledge both in divine and humane learning: soon after he was translated to *Glasgow*, where he died.

26. *William Elphinston* succeeded to *Blaicater*, a famous and memorable person; he was born in the City of *Glasgow*, and trained up in the Pedagogie of that City; where he made such profit in his studies, that all who knew him conceived even in his younger years great hopes of his advancement. By the advice of his Uncle *Laurence Elphinston* he went to *France*, being 29. years of age, and there abode some nine years, having purchased good reputation in the University of *Paris* for his skill in the lawes, which six years together he professed, reading daily the Lectures thereof in a most frequent auditory. Then returning into his countrey, was preferred first to be Official of *Glasgow*, afterwards made Official of *S. Andrewes*, and promoted to be of the Kings Council. Some jarres falling out at that time betwixt King *James* the third, and *Lewis* the eleventh of *France*, which was like to have dissolved the ancient friendship betwixt the two nations, he was joyned in Commission with the Bishop of *Dunkeld*, and Earl of *Fuchan* for pacifying the same, and by a wise and most eloquent oration brought matters so about, that the old league and amity was renewed, and all occasions of discord quite removed: whereupon the Bishoprick of *Rosse* was at his return cast upon him, which he accepted with great difficulty. The See of *Aberdene* afterwards falling void, he was translated thither, and at that time was made Chancellour of the Kingdome; in which charge he carried himself with that moderation and equity, as he was both loved and revered of all persons. But the unhappy troubles that fell out betwixt the King and some of his Nobility, which by no means (though he did use his uttermost diligence that way) could be pacified, made him retire to his charge at *Aberdene*, where he gave himself to reform such things as he found disordered in the Church, and had doubtlesse effected the same if he had not been called back to Court, and employed much against his will in publick affaires.

King *James* the fourth then entring his reign, he was by the consent of the whole estate sent Ambassadour to *Maximilian* the Emperour, to suite his daughter *Margaret* in marriage for the King: But she before his coming being promised to the Prince of *Spain*, the businesse took no effect, yet that his travel should not be altogether unprofitable, in his return from the Emperours Court, he reconciled the variance, which long had continued betwixt this nation and the people of *Holland*, and thereby grew in such favour with the King, that whatsoever businesse he had, either within or without the Kingdome, the same was wholly committed to his trust.

Neither did he in the mean while neglect to use his best means for the advancement of learning, having built a stately Colledge in *Aberdene*, which for the beauty of the edifice and rich foundation was one of the rarest monuments this Kingdome had seen. The expence he bestowed partly on that work, partly for providing materials for building of the Bridge upon *Dey*, with the large almes he gave daily to the pooor and religious of all sorts (not to speak of the help and relief he made to others of his kindred) exceeded almost all credit and belief: for he was ever observed to keep a good table, and had no Benefices in *Commendam*, (which was then grown into a custome amongst Churchmen) yet upon the rents of his own Bishoprick, he did both maintain his estate, do all those great and magnificent works, and dying, left in treasure ten thousand pounds in gold and silver, which he bequeathed to the Colledge, and the finishing of the bridge at *Dey*: that in him we may truly see how it is not the abundance of worldly goods, but the blessing of God that maketh rich.

What

An. 1514.

What time he could spare from the publick service he spent in writing the history of his nation, and gathered in one volume all the Antiquities that could be found thereof. The memories also of those holy men who lived in former times, in this kingdome, he studied to preserve, committing to writing their worthy and memorable acts, and giving order that on solemn dayes the religious should read some part thereof in their common meetings; neither was he seen to be idle, but alwayes in labour and striving how to benefit the publick. Nor was there any man known to have been of more integrity of life and manners, sweet and pleasant conversation, of a cheerful countenance, and exceeding delightful. The constitution of his body was healthful and strong, old age which to others is of it self a disease, wrought in him no alteration either of mind or body; for being 83. yeares old, his judgement in the weightiest matters of State was observed to be as quick, and his memory as ripe, as when he was in the middle of his youth.

That which is supposed to have hastened his death, was the unfortunate death of the King at *Flowden*; for after the report of that losse he was never perceived to laugh, nor willingly did he hear any thing that sounded unto mirth or gladnesse, and thereupon had resolved to live the rest of his time obscure and retired: yet being called by the Councel to assist some great businesse, which for the time was in hand, he sickned in his journey towards *Edinburgh*, and the sixth day after his coming thither, died most christianly: his body embalmed, was carried afterwards to *Aberdene*, and entombed in his own Colledge before the high Altar. They write that the day his Corps was brought forth to the burial, the pastoral staffe, which was all of silver, and carried by *Alexander Lawder* a Jurist, broak in two pieces, one part thereof falling in the grave where his body was to be laid, and that a voice was heard to cry, *Tecum Gulielme mitra sepelienda*, with thee the mitre and glory thereof is buried: 30. years he sate Bishop, and ended his course being very old in the year 1514.

27. The Chanons assembling according to their custome to elect a Bishop in his place, the Earl of *Huntley*, a man of great power in the North, came upon them unexpected, desiring that *Alexander Gordon* his Cousen, then Chanter of *Murray*, might be chosen. The Chanons not daring refuse, did all give their consents. In the mean time was one *James Ogilvy* presented thereto by the Duke of *Albany*, and at *Rome Robert Forman* Dean of *Glasgow* took a provision thereof from Pope *Leo* the tenth; yet both these did resigne their titles afterwards at the Duke of *Albany* his perswasion, *Ogilvy* having received in recompence the Abbacy of *Driburgh*, and *Forman* yielding at the desire of *Andrew Forman* his brother, then Archbishop of *S. Andrews*, upon promise of the next place that should fall void. Thus after some moneths delay, *Gordon* was received, and consecrated Bishop: but he enjoyed the place a short time, and was buried in the Cathedral Church of *Aberdene*.

28. *Gawan Dumbar*, Archdeacon of *S. Andrews*, and Master of the Rolls, a man of many excellent parts, was after him elected Bishop; he set himself to perfect all those works which Bishop *Elphinston* had begun, and were not as yet finished; especially the building of the Bridge upon *Dey*, with the houses that he had appointed for the severall professions of Sciences in the Colledge. The Executors of Bishop *Elphinston* he called to an accompt, and made them render the monies left by him in legacy, adding thereto his own liberality, wherewith he accomplished all these works. He founded likewise an hospital for twelve poor men, and a Preceptor to attend them; and all the time he lived Bishop, which was 13. years, whatsoever profit or commodity he made by the Church, he bestowed wholly upon the poor, and such publick works, without applying a farthing either to his own use, or the enriching of any of his kinsmen. He departed this life at *S. Andrewes* the ninth of *March*, 1531.

29. To him succeeded *William Stewart* son to the Laird of *Minto*, a man given to vertue, charitable to the poor, and ready to every good work; he built the Consistory house in old *Aberdene*, enlarged the territory of the Colledge, and bestowed upon it a part of the rent it now possesseth: he built likewise the Library, with two schooles, and founded therein four Chaplains; the office of the Chancellary in the State, conferred

ferred upon him by the King, he discharged with good credit, and dying at *Aberdene* in the moneth of *April*, in the year 1545. was buried in the Cathedral Church. An. 1160.

30. *William Gordon*, sonne to the Earl of *Huntley*, succeeded in the place. This man brought up in letters at *Aberdene*, followed his studies a long time in *Paris*, and returning thence, was first Parson of *Clat*, and afterwards promoted to the See; some hopes he gave at first of a vertuous man, but afterwards turned a very Epicure, spending all his time in drinking and whoring; he dilapidated the whole rents by fiewing the lands, and converting the victual duties in money, a great part whereof he wasted upon his base children, and the whores their mothers; a man not worthy to be placed in this Catalogue; he died in the year 1577.

The Bishops of MURRAY.

This Bishoprick was founded by King *Malcolme* the third, a worthy and religious King, but who were the first Bishops in this See, I finde not. The first that is named, is one *William*, who did consecrate *Arnold* Bishop of *S. Andrews* about the year, 1160. The succession of Bishops in the Dioces of Murray.

2. To him succeeded *Simon* a Monk of the Abbey of *Melrose*, elected Bishop in the time of *William* King of *Scots*, who governed the See 13. years, he died in the year of our Lord 1184. and was buried at *Birney*.

3. *Richard*, a Chaplain of King *William*, late Bishop 19. years, and was buried in *Spinie* where he died.

4. *Bricius* Prior of *Lefmabagow* succeeded him, he continued Bishop 24. years, and was the first that founded the Colledge of Chanons; he died in the year of our Lord 1227. and was buried with his predecessor.

5. After him *Andrew* Dean of *Murray*, was consecrated Bishop; he founded the Cathedral Church of *Elgin*, and added ten Chanons more to the Colledge; he died in the year 1274. and was buried in the Quire of the Church, which he had founded towards the South.

6. *Simon*, Dean of the same Church, was preferred next unto this See, and lived Bishop 9. years only; he was buried in the Quire of *Elgin*.

7. *Archebald*, Dean of *Murray*, was after his death made Bishop, and late 47. years; he built the Palace of *Kinneddore*, and departed this life in the year 1303. at *Elgin*, where his corps was also interred.

8. *David Murray* after his death elected, was consecrated at *Avignon*, by Pope *Boniface* the eighth; he lived Bishop 27. years, and died in *January* 1330.

9. *Fohn Pilmore*, who then stood elected to the Bishoprick of *Rosse*, was by the provision of Pope *Fohn* the 22. consecrated Bishop of *Murray*; he continued Bishop 27. years, and departed this life in the Castle of *Spinie*.

10. *Alexander Barre* Licenciator in the lawes succeeded; he was consecrated by Pope *Urban* the fifth, and died in the Castle of *Spinie* the fifteenth of *May*, 1397.

11. *William Spinie* Chanter of *Murray*, and Doctor of the Canon law, was after his death consecrated Bishop by Pope *Benedict* the thirteenth, and lived Bishop nine years onely; he died in the Chanory of *Elgin* the second of *August*, 1406. and was buried in the Quire of the Cathedral Church.

12. *Fohn Innes* Parson of *Duffus* and Batchelor both in the Canon and Civil law; late after him seven yeares, and died in the Chanory the fifteenth of *April*, 1414.

13. *Henry Lichon* Parson of *Duffus*, a Doctor in both Lawes, after he had late Bishop in this See 10. years, was translated to *Aberdene*.

14. *Columba Dumbar* succeeding, lived Bishop ten yeares, and departing this life in the Castle of *Spinie*, was buried in the Isle of *S. Thomas* the Martyr.

15. After him *Fohn winchester* Chaplain to King *James* the second, was preferred to the See, a man of good parts; he continued Bishop 13. years, and was buried in *S. Mary* Isle, within the Cathedral Church.

16. *James Stewart* Dean of *Murray* late two years Bishop.

17. To him succeeded *David Stewart*, his brother, Parson of *Spinie*, who governed the See 14. years; and was buried in *S. Peter* and *S. Pauls* Isle upon the South of the Cathedral Church.

18. After

An. 1140.

18. After his death *William Tulloch* Bishop of *Orkney*, was translated to *Murray*, and lived five years onely after his consecration.

19. *Andrew Stewart* Dean of *Murray* succeeded; he sate Bishop 19. years, and was buried in the Quire of the Cathedral Church.

20. *Andrew Forman* sate after him Bishop 15. years, and was then translated to *S. Andrews*.

21. Next after him *James Hepburn* governed the See 9. years, and was buried in our *Lady Ille*, nigh unto the Tombe of *Alexander* the first, Earle of *Huntley*.

22. *Robert Shaw* Abbot of *Paisley*, a man of great vertue, and exceedingly beloved, was next made Bishop; but he lived not above two years in the place.

23. *Alexander Stewart*, Brother-german to the Duke of *Albany*, sate after him seven years, and was buried in the Monastery of *Scone*.

24. To him succeeded *Patrick Hepburn*, who was commendatory of *Scone*, in his time the reformation of Religion was made; he lived Bishop 36. years, and died in the Castle of *Spinie* the 20. of *June*, 1573.

The Bishops of BRICHEN.

Since the writing of this Catalogue, I have found four Bishops succeeding *Edwardus* one after another; *Timpinus*, *Rodolphus*, *Hugo* and *Gregorius*. But how long they sate Bishops, I cannot say.

In this See since it was founded by King *David*, which was about the year 1140. there have been many worthy Bishops, yet most of them are buried in oblivion, these few that follow, I have gathered out of old Records.

1. *Urwardus* or *Edwardus* lived about the year 1260. a Monk at first at *Couper* in *Angus*, a man very zealous in his calling, for it is testified of him that he went on foot through the whole kingdom (with one *Eustathius* Abbot of *Aberbrothock*) preaching the Gospel wheresoever he came.

2. *Albinus* after him was Bishop some few years.

3. *VWilliam* Dean of *Brichen* elected successor, died at *Rome* in the year 1275. whilst he was attending, to have his election confirmed.

4. The fourth Bishop I find mentioned, is one *John* who governed the See in the year of God 1318. and got a new confirmation from King *David Bruce*, of all the lands possessions, and priviledges enjoyed by his predecessors in former times, because of their rights lost in the time of the last warre. This confirmation is dated in the year 1359.

5. To him succeeded *Adam* Chancellor of the Kingdom, but it seemed he sate few years.

6. Then *Patrick* who was his successor both in the Bishoprick, and in the office of Chancellary in the year 1372.

7. *Steven* in the year 1384.

8. *Walter*, surnamed *Forrester* in the year 1413.

9. *John*, who was likewise Chancellor, Anno 1434. In his time was the Church of *Cortoguby* annexed to the Bishoprick by *Walter Pallatine* of *Strathern* Earl of *Atholl*, Lord *Brichen* and *Cortoguby*.

10. *George Shoreswood* succeeded him in both charges, anno 1483. In his time was the Church of *Funeven* made one of the Chapter.

11. Another called *John*, was made Bishop in the year 1483.

12. *William Meldrum* succeeded in the year 1500.

13. And after his death *John Hepburn*, Anno 1552.

14. To him succeeded *Sinclare* Dean of *Restalrig*, a little before the Reformation.

The Bishops of DUMBLANE.

The succession of the Bishops of *Dumblane*.

The See of *Dumblane* was founded likewise by King *David*.

1. *Fonathus* was the first Bishop, he died in the year 1200. or thereabout, and was buried at *Inchaffray*.

2. *Simon*

2. *Simon*, who succeeded him, lived not a year.

3. *Abraham* Chaplain to *Gilbert* Earl of *Stratherne*, was consecrated in the year 1210. This was the Earl who gave a third part of his lands to the See of *Dumblane*, and another third part to the Abbey of *Inchaffray*.

4. *William* called *Gulielmus de Bosco* was next preferred to the See; and shortly after created Chancellor.

5. *Osbert*, Abbot of *Cambuskenneth* succeeded, he died in the year 1231.

6. The sixth Bishop was *Clemens*, a Frier of the Dominican Order, consecrated in the *Stowe* Church of *Weddal*, in the year 1233. This man was an excellent Preacher, learned above many of that time, and of singular integrity of conversation; he gave divers lands and rents to the Church of *Culross*; and restored the Cathedral Church of *Dumblane*, which was decayed. *Leander Bononiensis*, in his third book *De viris illustribus Prædicatorum*, remembreth him with a special commendation. The like doth *Philippus wolphius* in his third book *De vitis peritorum virorum*. He died in the year 1256.

7. *Robert* was after him elected. This is he who was sent with *Richard* Bishop of *Dunkeld*, by the rest of the Prelates in the year 1268. to protest against the proceedings of *Ottobon* the Popes Legate for the contribution imposed by him upon the Scottish Clergy, towards the charge of the holy warre.

8. *Alpin* after him governed the See some few years.

9. Then one *Nicolaus* was made Bishop, he gave the halfe of the Church of *Strowan* to the Abby of *Inchaffray*.

10. After him succeeded *Maurice* Abbot of *Inchaffray*, a Prelate of great spirit, who gave great encouragement to his countrey men in that famous battel of *Bonnockburn*, and was therefore chosen by King *Robert Bruce* to be his Confessor after that battel: the See falling void, he was preferred to the same.

11. One *William* succeeded to him.

12. Then *walter Cambuslang* in the year 1363.

13. And after him was *Finlaw*, commonly called *Dermoch*, who built the bridge of *Dumblane*, and died in the year 1419.

14. *William Stephen*, one of the first Professors in the University of *S. Andrews*, was after him preferred.

15. Upon his death *Michael Ochiltrie* succeeded, a wealthy Prelate, and well esteemed; he purchased to his See a great part of the forfeited lands of *Stratherne*, adorned the Cathedral Church with many rich ornaments, built the bridge of *Knaig* at *Machant*, with the Church of *Muthill*, and did in his time divers other good works.

16. After him succeeded *Robert Lawder*, who founded divers Prebendaries, and Chanonries in the Church of *Dumblane*.

17. *Iohn Hepburn* succeeded in the year 1471. This Bishop had a long contention with the Abbot of *Inchaffray* for certain Churches claimed by the Abbot, but the matter was afterwards pacified. He died in the year 1508. and was buried in the Quire of the Cathedral Church.

18. *James Chisholme* obtained the Bishoprick after his death by the Popes provision, and carried himself in his charge very commendably; a severe censour he was of the corrupt manners of the Clergy, and recovered many lands and possessions, which were sacrilegiously taken from the Church before his time. He died in the year 1534.

19. To whom succeeded *William Chisholme* his brother, a wicked and vicious man, who for hatred he bare to true religion made away all the lands of the Bishoprick, and utterly spoyled the benefice.

The Bishops of Ross.

1. This See was also one of King *David's* foundations, the first Bishop I find was one *Gregorius*.

The succession of the Bishops of *Rosse*.

1.

2. *Reinaldus*

An. 1066.



2. *Reynaldus* a member of *Melrofs*, who died in the year 1213.
3. *Andrew Murray* was chosen in his place, but he shortly after resigned the same to
4. *Robert*, Chaplain to *Alexander* the second.
5. After him one *Matthew* was elected, and consecrated by Pope *Gregory* the tenth at *Viterbium*, in the year 1274.

Then succeed these in order.

6. *Thomas Dundie*.7. *Roger*.8. *Alexander*.9. *Thomas Urwhart*.10. *Alexander Kilbuines*.11. *William Bullock*.

12.

Thomas Tullich.13. *Henry Cokborne*.14. *James woodman*.15. *Thomas Hay*.16. *John Guthrye*.17. *John Fraser*.18. *Robert Cokburn*.19. *William Elphinstone*, who was afterwards Bishop of *Aberdene*.20. *James Hay*.

21. *Robert Carncroffe* Abbot of *Halirudhouse*, a man of great wealth, and preferred by King *James* the fifth to this See about the 1534. year, and lived ten years Bishop.

22. *David Panter*, Secretary to the Governour, was after his death elected in the year 1544. and immediately after employed in a legation to *France*, where he remained seven years. At his return he was solemnly consecrated, the Governour and many of the Nobility being present. He was a man learned, and of great experience in publick affaires, and died about the year 1550.

23. To him succeeded *Henry Sinclair*, Dean of *Glasgow*, and Vice-president in the Colledge of Justice, a man of singular wisdom and learning, especially in the lawes; which place he discharged with good credit. By his advice many things were bettered in the form of Justice, and divers abuses in the formes of processe amended; his death fell out shortly after the Reformation, and in his place Mr. *John Lesley*, (of whom we shall have often occasion to speak) was preferred.

The Bishops of CATHNES.

The succession
of the Bishops
of Cathnes.

1. This Bishoprick was founded by *Malcolme* the third, about the yeare 1066. who preferred thereto one *Darrus*, whom he favoured greatly. This man lived long, and in a good reputation, and after his death was honoured for a Saint.

2. There succeeded to him one *Andrew*, of whom *Roger Hoveden* makes mention, saying, that he came into *England* with *William* King of *Scots* in the year 1176. and shortly after his return home departed this life.

3. To him succeeded *John*, the Bishop that *Harold* the Earl of *Orkney* and *Cathnes* used most cruelly, cutting forth his tongue, and pulling out his eyes; which King *William* (in whose reign it happened) punished exemplarily, for he caused the Earl his eyes first to be pulled out, then made him to be executed by the hands of the hangman, and all his male children to be gelded, to extinguish their succession.

4. *Adam* another Bishop, whether his immediate successour or not, I cannot say, was no lesse barbarously used; for in the year 1222. or much thereabout, some wicked people suborned by the Earl of *Cathnes* assailed him being private at home, and killing his chamber boy, with a Monk of *Melrofs*, that did ordinarily attend him (for he had been Abbot of that Monastery) drew him by force into his kitchen, and when they had scourged him with rods, set the kitchen on fire, and burnt him, therein. King *Alexander* the second was at that time upon his journey towards *England*, and upon notice of this cruel fact, turned back and went in haste to *Cath-*

nes, where he put the offenders and their partakers to trial: 400. by publick sentence were executed, and all their male children gelded, that no succession should spring from so wicked a seed. The place where their stones were cast in a heap together, is to this day known by the name of the *Stony hill*. The Earl for withholding his help, and because he did not rescue the Bishop, was forfeited. And howbeit after some little time he found means to be restored, yet did he not escape the judgement of God, being murdered by some of his own servants who conspired to kill him; and to conceal the fact, set the house on fire, and burnt his body therein: so was he paid home in the same measure he had used the Bishop.

An. 1245.



5. To this *Adam* succeeded *Gilbert* the Chanon surnamed *Murray*, and sonne to the Lord of *Duffus*, who was in great esteem for the bold and couragious answer he made to the Popes Legate at *Northampton*; he built the Cathedral Church of *Cathnes* upon his own charges, and lived to see the same finished, and shortly after the dedication died at *Scravister* in the year 1245. the *posteri* gave him the reputation of a Saint.

6. *VWilliam*, who succeeded, followed his steps, and did much good in his time, he died in the year 1261.

7. Then *VValter* Doctor in the Canon law, who lived ten years, and ended his dayes in the year 1271.

8. *Archibald*, a man much commended for his meek and tractable disposition, succeeding, died in the year 1288.

9. *Andrew* a man skilled in the lawes, was preferred after his death, and lived Bishop 13. years.

10. *Ferquhard* succeeded to him; this Bishop was a strong defender of the liberties of the Church, and died in the year 1328.

11. *David* that followed lived 20. years Bishop and departed this life, an. 1348.

12. *Thomas Fingask* was next Bishop, he died in the Chanonry of *Elgin*, anno 1360. and lieth buried in *S. Maries* Isle in a Tombe erected by *VWilliam* Earl of *Sutherland*, whom he left his Executor.

13. To him succeeded Bishop *Alexander*, who lived many years in that See, and died in the year 1409.

Then these in order.

14. *Malcolm*, a zealous and devout man, who died anno 1421.

15. *Robert Strackbock* died anno 1440.

16. *John Innes* Dean of *Rosse*, in the year 1448.

17. *VWilliam Mudie* died anno 1460.

18. After whom one *Prosper* was elected, but he resigned the place in favours of *John Sinclair*, sonne to the Earle of *Cathnes*, who was never consecrated, and so the See remained void the space of 24. years; during which time *Mr. Adam Gordon* governed the affaires of that See.

After *Sinclars* death succeeded *Andrew Stewart* Commendatory of *Kelso* and *Ferne*, he died in the year 1517. and was buried in the Cathedral Church of *Cathnes*.

Andrew Stewart son to the Earl of *Athol* was preferred after him, and died in the year 1542.

Then *Robert Stewart* brother to *Matthew* Earl of *Lenox* was made Bishop, he was afterwards made Prior of *S. Andrews*, and created Earl of *March*, upon his resignation of the Earldome of *Lenox* to Duke *Esme*: a man of noble disposition, but much addicted to his servants, whom he rewarded with dilapidation of the Church rents, whereto he was provided; he died at *S. Andrews* very old in the year 1586.

The Bishops of ORKNEY.

The Islands of *Orkney* lying over against *Cathnes*, have alwayes since they were made Christians, been governed by Bishops, but being possessed by the of *Orkney*. whilest that Kingdome stood, and for a long time in the hands of the *Norwegians*, from whom *Alexander* the third King of *Scots* recovered the same by composition.

An. 1137. The first Bishops and their successours are utterly unknown, of the latter I have no intelligence, nor in the records that remain is there any mention of them, onely I read of four or five that sate in this See before the Reformation.

1. One *VVilliam* that lived in the time of King *Robert* the third.
2. *VVilliam Tullock*, who was translated to *Murray* in the reign of King *James* the third.
3. To whom succeeded one *Andrew*.
4. After *Andrew*, *Edward*.
5. And after *Edward Robert Reid*, a man of excellent wit and great experience, employed in divers legations, and selected amongst others by the Estates to assist the marriage of Queen *Mary* with the *Daulphin* of *France*; he died in his return at *Deep*, much regretted, for he was a man of great integrity, and careful in the administration of Justice.

The Bishops of GLASGOW.

The succession of the Bishops of Glasgow.

This City at first was made famous by *Kentigern*, commonly called *Saint Mungho*, who is esteemed the first Bishop thereof. I spake of him before, and shewed how he was begotten by *Eugenius* the third upon *Thametis* daughter to the King of *Picts*; his mother finding her self with childe, out of shame and fear of her fathers wrath, stole privately away, and entring into a little vessel that she found at the nearest coast, was by the winde and waves cast on land, where the town of *Culross* is now situated; there was delivered of her birth, and leaving the childe with a nurse, returned home: his Parents being unknown, he was brought to *Servanus*, and baptized and bred up by him; yet it seems by the hymne, they did ordinarily sing in the Festivals, that his Father came afterwards to be known, for thus it begins.

They report of him, that a Lady of good place in the countrey having lost a ring, which her husband gave her, as she crossed the river of *Cluyd*, and her husband waxing jealous, as if she had bestowed the same upon one of her lovers, she did mean her self unto him, intreating his help for the safety of her honour, and that he going to the river after he had used his devotion willed one who was making to fish, to bring him the first that he caught; which was done; in the mouth of that fish he found the ring, and sending it to the Lady, she was thereby freed of her husbands suspicion. The credit of this I believe upon the reporters; but howsoever it be, the See and City do both of them wear in their Armes a fish with a ring in the mouth even to this day. He was certainly a man of rare piety, and to the poor exceeding bountiful, lived to a great age, beyond the ordinary course of men, as in the conclusion of the hymne is said.

*Cum octogenos centum quoque quinque vir annos
Complerat, sanctus est Glasgou funere functus.*

After his death for many ages the See was in a manner desolate unto the reign of *Malcolm* the third, who restored the same to some integrity. The first Bishop I find named after the restitution was

1. *John Achaian*, who took great paines in building the Cathedral, and having brought it to a reasonable perfection, did dedicate the same in the year 1137. King *David* being there in person, and bestowing upon the See the lands of *Patrick*, which the Bishops do yet enjoy. It was in his time that *Thurstan* Archbishop of *Tork*, encroaching upon his jurisdiction, (which at that time comprehended the countrey of *Cumberland*) placed a new Bishop at *Carlisle*, by the instigation of *Henry* King of *England*; This the Bishop took so heavily, as when he perceived his complaints not much regarded, he forsook his charge, and went into *France*, inclosing himself in the Monastery of *Tours*, where he abode untill the Pope at the request of King *Malcolm* the fourth, compelled him to return after which time he lived not long, for he died at *Glasgow* in the year 1146. the twenty eighth of May.

2. To him succeeded another called *John*, who was greatly favoured by King *Alexander* the first, and did counsel *Eadmerus*, because of the Kings dislike, to leave *S. Andrews*, and return unto *England*. An. 1207.

3. *Herbert* was his successour, and in his time the controversie with *York* was great, for the superiority claimed by one *Roger* Archbishop of *York* over the Bishops of *Scotland*. This contention drew *Angelramus* Archdeacon of *Glasgow*, and Chancellor of the Kingdom for the time, to travel unto *Rome*, as was touched before; and *Herbert* dying whilest he was there,

4. *Angelramus* by an uniform consent of the Clergy and Laity was elected in his place, and upon notice given of the election, consecrated by Pope *Alexander* at *Rome*, from whom he obtained an exemption to the Church of *Scotland* from the jurisdiction of the *English* and all others, the Apostolick See only excepted; Shortly after his return he died.

5. *Jocelin* Abbot of *Melrosse* was his successour; in his time the City of *Glasgow* was erected into a Burgh Royal; he died at *Melrosse*, and was interred in that Monastery.

6. *Eugenius* was chosen after his death, but how long he lived, I read not.

7. *Hugo* Chancellor of the Kingdome succeeded, and lived but a few years.

8. After him *William Malvoisin* a *French* man was elected, and consecrated in *France* by the Popes direction; he was afterward translated to *S. Andrews*, and preferred to the office of Chancellor.

9. *Florentius*, sonne to the Count of *Holland*, was assumed in his place, and shortly after upon licence obtained of the Pope, he resigned the office, and died at *Rome* in the year 1207.

10. And then *Valter* Chaplain to King *William*, was consecrated Bishop; he lived in the place 27. yeares.

11. *William Babington* Chancellor of the Kingdom, was after his death elected Bishop. In his time, as *Boeth* writeth, the fabrick of the Church of *Glasgow* was fully accomplished; his words are, *Absolutum est ea tempestate templum Cathedrale Glasguense, sedes profecto magnifica, cujus haud exiguam partem Gulielmus ibidem Episcopus liberalitate sua extruxerat, nec diu operi profecto superstit.* He died the 25. of *January* 1261.

12. The Chanons meeting to choose a successor, condescended upon *Nicole Moffet* Archdeacon of *Teviot-dale*, yet shortly after forthinking their election, they procured the same to be called at *Rome*, whither he was gone to obtain Confirmation. Thereupon *Iohn de Chyan* an *English* man was by the Pope provided to the See, whom King *Alexander* the third admitted with great difficulty. This man is said to have been learned, but very troublesome to the Chanons, upon whom he laid grievous impositions. The discord betwixt him and them waxing hot, he left the countrey, and going to *France*, died there in the year 1268.

13. *Nicole Moffet* Archdeacon of *Teviot-dale* was upon his death provided to the See, notwithstanding the opposition of the Chanons, but he lived a short time, and died at *Tannigham* of the Apoplexie. He was no lesse hated of his Clergy, whom he is said to vex with many injuries.

14. *William Wishart* Archdeacon of *S. Andrews*, and Chancellor of the Kingdome, was chosen of the Chanons in the year 1270. but *S. Andrews* falling void by the death of *Gamelinus*, before his consecration he was postulated thereto, and so returned to *S. Andrews*.

15. *Robert Wishart* Archdeacon of *Lothian*, and Cousen to the said *William*, was upon his change by the Kings recommendation admitted to the place. This is he who made that reply to King *Edward*, in the consultation held at *Norham* for the right of the Crown, whereof we spake in the life of *William Fraser* Bishop of *S. Andrews*; a worthy man, and a great lover of his countrey, for which he suffered much trouble, being made prisoner and sent unto *London*, where he was kept some years; afterwards obtaining liberty, he returned to his See, and therein performed many good works: he died the 26. of *November*, 1316. and was buried in the Church of *Glasgow* betwixt the altars of *S. Peter* and *S. Andrew*.

An. 1325.

16. *John Lindsey* succeeded, a man given much to the adorning of his Church; he died the ninth of *April* 1325. and was buried in the Cathedrall, nigh to the Altar of the Blessed Virgin.

17. *Mr. Stephen Dundy* was the same year elected Bishop, and going to *Rome* to be confirmed, died by the way, not without suspicion of poison given him at a feast made by the Friers predicant of *Glasgow*.

18. In his place was chosen *John Wishart*, who in his return from *Rome* was taken prisoner by the *English*, and died some few dayes after.

19. *William Rae*, a good and zealous man, was after him chosen by the consent of the whole Chapter; he redeemed the possessions of the Church which his predecessors had alienated, built the stone bridge at *Glasgow*, and having done many good works, died in the year 1367.

20. After his death *walter wardlaw* succeeded; Pope *Urban* the sixth did preferre him to bee Cardinal in the year 1384. and in the third year after he died.

21. Then was *Mr. Matthew Glendouning* provided to the place. In his time the steeple which was all built of timber, was burnt by lightning, in place whereof he intended to build one of stone, and made therefore great preparation, but was prevented by death in the year 1408.

22. His successor *William Lawder* finished the work; he was Chancellor of *Scotland*, and without the Chapters election provided by the Pope of meer authority, which was never done in that See before.

23. After him *John Cameron* was Bishop, a man given to violence and oppression, who committing many deeds full of cruelty and covetousnesse, especially upon his own Tenants and Vassals, made (as the same goeth) a fearful and unhappy end; for in the year 1446. the night before *Christmas* day, as he lay asleep in his house of *Lockwood* some seven miles from the City of *Glasgow*, he seemed to hear a voice summoning him to appear before the tribunal of *Christ*, and give an accompt of his doings. Thereupon he awak't; and being greatly terrified, did call his servants to bring lights and sit by him, he himself took a book in his hand, and began to read; but the voice being again heard, struck all the servants with amazement. The same voice calling the third time farre lowder, and more fearfully, the Bishop after a heavy groane, was found dead in the bed, his tongue hanging out of his mouth. This reported by *Buchannan* almost in the same words, I thought good to remember as a notable example of Gods judgement against the crying sin of oppression.

24. To *Cameron* succeeded *James Bruce*, who was translated from *Dunkeld* to this See in the year 1446. and preferred to be Chancellour of the Kingdome.

25. After him *Mr. William Turnbull* (others called him *David*) was chosen Bishop, he founded the Colledge of *Glasgow*.

26. Upon his death *Andrew Moorehead* was elected. The hospital near the Castle was his foundation.

27. To *Moorehead* succeeded *John Lang*, who was Chancellour of *Scotland*.

28. He dying, *Mr. George Carmighal* was promoted, but not consecrated; for he died going to *Rome* for Confirmation.

29. *Robert Blacader* Bishop of *Aberdene*, was after his death translated to this See. In his time was the See of *Glasgow* erected into an Archbishoprick, for which arose a great contention betwixt *Shevez* Archbishop of *S. Andrewes*, and him; which was after some treaty pacified, and *Galloway*, *Argyle*, and *Isles* appointed *Suffragans* to *Glasgow*. He lived untill the yeare 1500. at what time taking his journey toward *Ierusalem*, he departed this life in the way thither.

30. *Mr. James Beaton* upon his death was preferred, and sate Bishop twenty two yeares, thereafter he was translated to *S. Andrewes*, of whom you may there read.

31. *Mr. Gawan Dumbar* tutour to the King upon his translation was promoted,

ved, a good and learned man; he was afterwards made Chancellour of the Kingdome, and admistred the office with good commendation.

An. 631.

32. Mr. *James Beaton* succeeded after his death, in whose time the Reformation fell forth, and of him we shall have occasion afterwards to speak.

The Bishops of GALLOWAY.

1. *S. Ninnian* had his chiefe abode in the countrey of *Galloway*, and built there a Church all of white stone, which was therefore called *Candida casa*, and to this day in the countrey language *Whitherne*, as you would say, a white house; he is accompted the first Bishop of this See. The Bishops of Galloway.

2. In the year 631. one *Plehelmus* (*Beda* calleth him *Pectelmus*) was here Bishop.

3. *Frithwoldus* succeeded to him, and died in the year 768.

4. After him *Pethumus*, who deceased anno 778.

5. Then *Ethelbert*.

6. And after him *Baldulphus*. Further mention I find not of any Bishop in this See in those first times; and it seems it hath been quite decayed, before *Malcolm* the third restored the same.

In the latter times, I read only of these following.

7. *John* Bishop of *Galloway*, who resigned his charge, and became a Monk in the Abbey of *Halirudhouse*.

8. *Thomas Spence* translated from *Galloway* to *Aberdene* in the year 1458.

9. *David*, who was also Dean of the Kings Chappel.

10. *Alexander*.

11. *Henry*.

12. *George*.

13. And Bishop *Gordon*, who lived at the Reformation, and embraced the truth.

The Bishops of ARGYLE.

This Bishoprick was part of the Dioces of *Dunkeld*, untill *John Scot* Bishop there obtained of Pope *Clement* the third a division of the Bishoprick, as you may read in the Catalogue of the Bishops of *Dunkeld*. The Bishops of Argyle.

1. Then was *Evaldus* or *Harold* his Chaplain consecrated Bishop, and the seat appointed to be at *Lismore* within the countrey of *Argyle*, whence the Bishop of this See is styled *Lismorensis Episcopus*; this erection was made in the year 1200.

2. To *Harold* succeeded *William*, who perished by a tempest at Sea, in the year 1240.

3. And to him another of the same name.

4. Then *David* who was Bishop in the year 1330.

5. In the year 1425. one *Finlaw* Bishop of *Argyle*, *Vir ordinis Dominicani*, as *Buchanan* saith, upon the apprehension of Duke *Murdach*, joyned with the Dukes youngest sonne against King *James* the first, and fled with him into *Ireland*. The King complaining of him to Pope *Martin* the fifth, he gave Commission to the Bishops of *S. Andrewes* and *Dumblane* to call him before them, and finding him guilty, to depose him from the place; but he in the mean time died in *Ireland*.

6. So by the provision *George Laird* of *Balcomie* in *Fife*, was preferred to the See; how long he lived Bishop, and who succeeded since his time, I have not learned.

THE HISTORY

of the CHURCH

OF

SCOTLAND.

THE THIRD BOOK.

The Contents.

The History of the Reformation of the Church, and how it was wrought.



THE Petitions put up to Queen Regent for reformation of the Church taking no effect, some Noblemen and Barons joyning in Council, did bind themselves by oathes and subscriptions to assist one another, and hazard their lives and substance in advancing the cause of Religion. The principals were *Archibald Earl of Argyle, Alexander Earl of Glencarne, James Earl of Morton, Archibald Lord of Lorne, Sir James Sandelands of Calder, John Erskin of Dun, and William Maitland of Leithington* younger. They meeting together after deliberation what should be fittest first to do, concluded, *That in all Parishes the Curates should be caused read the Prayers and Lessons of the Old and New Testament on Sundayes and other Festival dayes, according to the form set forth in the Book of Common Prayers; and if they should refuse, that the most qualified in every Parish should do the same. But for preaching and interpretation of Scripture, the same should be used only in private houses after a quiet manner, till God should move the Queen to grant further liberty.*

The Nobles and Barons resolve upon a Reformation,

An. 1558.

An act for publick service.

History of the Church.

This accordingly was performed in the parts where they had Commandment, and by their example in divers Townes and Parishes of the countrey the like was done, to the great offence of the Clergy, who complaining of that boldnesse to the Queen Regent were answered, that it was no fit time to enter into those matters, and that she should find occasion ere it were long to put order unto them. But the Clergy fearing delays did forthwith call a Provincial Council at *Edinburgh*, where professing to make reformation of abuses, they renewed some old Popish constitutions, which they made to be imprinted and affixed upon the doors of all the Parish Churches.

The Clergy complaining to Queen Regent.

The Bishop of *S. Andrewes* advertised of the Reformation begun in *Argyle* sent to the Earl, Sir *David Hamilton* his Cousen, with a letter, wherein after he had shewed the perill in which he did cast both himself and his house by that open defection from the Church, he desired him in some honest fashion to rid himself of that defamed and perjured Apostate, who had seduced him: (This was one Mr. *John Douglas*, whom the Earl had taken to be his Minister) offering to provide him of a learned and wise Preacher, for whom he would lay his soul in pawn, that he should teach no other but true doctrine, and agreeable to the Catholick faith. The Earle answered, "That for peril he feared none either to himself or to his house, having "resolved to live in obedience to his Prince, and to serve God as well as he could "according to his written word: and for the defection alledged; seeing it had "pleased God to open his eyes and give him the knowledge of his truth, which he

The Bishop of *S. Andrewes* letter to the Earl of *Argyle*.

The Earl of *Argyle* his answer.

took

An. 1558.

“ took for a great argument of his favour, he would not relinquish or forsake it
 “ for fear of any inconveniences. As to the man he wrote of, he said that he heard
 “ him teach the doctrine of *Christ*, condemne idolatry, adultery, fornication, and
 “ such like wickednesse, and that he should make him give an accompt thereof
 “ whensoever he should be cited. But to call him defamed and perjured there was
 “ no reason, seeing he was not declared to be such by any sentence; and if he had
 “ in former times made any unlawful oath, he had done much better in violating
 “ the same, then if he had observed it. Further, whereas he made offer to provide
 “ him of some learned man, he gave him thanks, considering the necessity there was
 “ of labourers in the Lords harvest; but he understood what his meaning in that
 “ was, and minded not to be led with any such teachers. In end he wished him not
 “ to begin the battel with him, whereof the event would be doubtful; for as to
 “ himself he knew God was God, and should be God still, whatsoever mans craft
 “ could work or devise.

The feast of
 S. Giles.

The Bishop receiving this answer did communicate the same with the chief of the Clergy, who thereby conceiving that there was some businesse in hand, began to think of other defences; And the feast day of S. Giles, or *Sanctus Egidius*, falling out about that time to be kept at *Edinburgh*, they entreated Queen Regent to honour the solemnity with her presence. The custome was in that time of the year to carry the image of the Saint in procession through the town, (for they had S. Giles to their Patron) with Drummes, Trumpets, and all sort of musical instruments; neither was there any day kept more superstitiously then this. The Queen agreed the rather to accompany the procession, for that some tumult was feared, which she thought her presence would repress. But when the time of the solemnity was come the Saint was missing, for some had stolne the image out of the place where it was kept. This made a stay, till another little image was borrowed from the *Gray Friars*; which the vulgar in mockery called young Saint Giles. Herewith they set forward, the Regent accompanying the people, till the procession was nigh ended; then withdrawing her self to the lodging where she was to dine, she was no sooner gone, then some youths provided for the purpose, drawing near unto the *Fertor*, and making a shew to carry it upon their shoulders, after they had walked some few paces, and perceived by the motion they made, the image was fixed to the *Fertor*, they threw all to the ground; and taking the image by the heels, dashed the same against the stones, so as head and hands were beaten off, and the idol wholly defaced. The people hereupon fell a crying, the Priests and Churchmen betook them to flight, and a great stirre was in the streets. Some houres the Fray continued, and being in end settled by the authority of the Magistrates, the whole Clergy that were in town assembled themselves, and making the best countenance they could, indicted a solemn meeting in the beginning of *November* next.

The procession
 disturbed by a
 tumult.

Paul Methven
 cited.

To this diet Paul Methven was summoned, and not appearing, was decerned for his contumacie to be banished the Realme; a prohibition likewise was given to all the subjects, that none of them should entertain or receive them in their houses. Notthelesse the town of *Dundy* where he abode, forbare not to hear his Sermons, and minister unto him all necessities. Mean while they who had combined for working a Reformation, did send into all parts of the Realm to solicit persons to joyn in that cause, and purchase the subscriptions of those that were willing, unto a bond which was framed to that effect. Some moved with a zeal to Religion, others out of a desire to change, and the greatest part longing to be relieved of the oppressions of the Churchmen, were easily moved to consent. So when they understood by the return of the subscriptions, that the countrey for the most part was inclined that way, and that in force and power they were nothing inferiour to their adversaries, they resolved to begin and make an end of the work; yet lest they should seem to contemn authority, they concluded to present a supplication to the Queen Regent and Council, to whom *the redresse of all enormities both Ecclesiastical and Civil did orderly belong*; (these were the words of the Supplication:) and to this effect made choice of Sir James Sandelands of Calder, an honourable Baron, and of great accompt, to present the Petitions following.

Supplication
 to Queen Re-
 gent for Re-
 formation.

1. That their Ministers might be permitted in conceiving of publick prayers, and the administration of the Sacraments to use the vulgar language understood by the people.

An. 1558.

2. That the Sacrament of the Supper might be ministred in both kinds according to our Saviours institution.

Petitions for reformation.

3. That the election of Ministers should be according to the manner used in the primitive Church, that those who had the charge of election should enquire diligently of the life and doctrine of such as were admitted.

4. That seeing by corruption of time, ignorant and scandalous persons had been promoted to Ecclesiastical offices, they should after trial be discharged, and other more sufficient put in their places.

These Petitions were no way pleasing to the Queen Regent, yet because the Parliament was approaching, wherein the matrimonial Crown and naturalization of the *French* were to be passed, she thought best to keep them in hope, saying, *That all they could lawfully desire, should be granted unto them; mean while they were licenced to use their prayers and service in the vulgar language, providing they did keep no publick assemblies in Edinburgh, or Leth, for eschewing of tumults.*

The Queen's answer.

The Prelates having notice of this were highly incensed, and when their consent was required (for the same Petitions were presented to them) carrying themselves more imperiously then before, answered, that *they would not depart a jot from the decrees of Trent.* Afterwards being a little calmed, they made offer to commit the cause to dispute, which by those of the *Congregation*, (this was the title given commonly to the Reformers) was accepted, upon two conditions; one, that the controversies in Religion might be decided by the Scripture; the other condition was, that such of their brethren as were exiled or condemned, might assist the dispute, and have safe conduct given them to that effect. But both the conditions were denied; for neither would they admit any other Judge but the Canon Law and Council; nor would they dispense with any sentence by them pronounced. Some of them that affected quietnesse propounded other conditions of reconciliation; That if the Congregation would suffer the Masse to be held in the wonted reverence, if they would acknowledge Purgatory, confesse the invocation of Saints, and admit prayers for the dead, they should be allowed to pray and administrate the Sacraments in a known language. But those conditions were held so ridiculous and absurd, as they were not vouchsafed any answer.

A dispute offered by the Clergy, and accepted by the Congregation.

Ridiculous conditions offered to the Petitioners.

Soon after this the Parliament being assembled, the Articles following were presented to Queen Regent.

Articles presented by the Congregation to the Parliament.

1. That in regard the controversies in Religion, which had a long time continued betwixt the Protestants in *Germany*, and the *Romane* Church, were not as yet decided by a lawful general Council, and that they themselves upon the same grounds could not any longer communicate with Papiests in their idolatrous religion; The humble desire of the Congregation was, that all such acts of Parliament, as warranted Churchmen to proceed against hereticks, might be abrogated, or at least suspended, till in a lawful general Council the controversies depending were determined.

2. And lest it should hereby seem that they desired a liberty to profess what they pleased, they humbly required that all such might be led before the temporal Judge, the Prelates and their officers being only permitted to accuse; with this proviso, that an authentick Copy of the accusation should be delivered to the person accused, and a competent term assigned him to answer.

3. That all lawful defences should be received from persons accused of heresie, and they allowed to accept against the witnesses according to law.

4. That the party accused should have liberty to expone his own mind, and that his Declaration might carry more faith then the deposition of whatsoever witnesses, forasmuch as no person ought to suffer for Religion, who is not known to be obstinate in his wicked opinions.

5. That none of their profession should be condemned for heresie, unlesse they were first convinced by the word of God, to have erred from the faith
which

An. 1558.

Queen Regent
stayeth the pre-
senting of the
Articles.

The Prote-
station made
by those that
desired Refor-
mation.

which the holy Spirit witnesseth to be necessary to salvation.

The Queen receiving the Articles answered in effect as before, That it was not safe for her to utter her mind at that time; which if she should do, the spiritual Estate would not fail to oppose her in all businesse. But how soon the publick matters were passed, they should know what a good mind she bare unto them. Howbeit this answer did no way content the wiser sort, yet knowing that the Articles would not passe in an Act, if she should disassent, they resolved to surcease from presenting them to the Estates, onely desired they might be permitted to make a Protestation, which they did in this sort.

It is not unknown to this honourable Parliament, what controversie is of late arisen betwixt those that will be called Prelates and Rulers of the Church, and a great number of us the Nobility and Commonalty of this Realme, for the true worshipping of God, the duty of Ministers, and the right administration of the holy Sacraments. And how we have complained to the Queen Regent, that our consciences are burthened with unprofitable ceremonies, and we compelled to endure many idolatrous abuses; that such as take upon them offices Ecclesiastical, do perform no part of the duty which is required of true Ministers, and that we and our brethren are most unjustly oppressed by their usurped authority. As also we suppose it to be sufficiently known to your Honours, that we were of minde this present Parliament to seek redresse of these enormities, but considering the troubles of the time do not suffer such a reformation, as we by the warrant of Gods word do require, we are enforced to delay that which of all things most earnestly we desire; and yet lest our silence should give our adversaries occasion to think that we repent us of our former intentions, we cannot cease to protest for remedy against that unjust Tyranny, which heretofore patiently we have sustained.

Therefore first we protest, that seeing we cannot obtain just reformation according to Gods word, that it may be lawfull to us to use our selves in matters of religion and conscience, as we must answer unto God, untill such time as our adversaries be able to prove themselves the true Ministers of Christs Church, and purge themselves of such crimes as we have already laid to their charge, offering our selves to prove the same, whensoever the sacred Authority shall please to give us audience.

Secondly, we protest, that neither we, nor any other of the godly that please to joyn with us in the true faith, which is grounded upon the word of God, shall incurre any danger of life or lands, or other political paines, for not observing such acts as have passed heretofore in favour of our adversaries, or for violating such rites as have been invented by man without the Commandment of God.

We thirdly protest, that if any tumult or uprore shall arise amongst the members of the Realme for the diversity of religion, and if it shall chance that abuses be violently reformed, the crime be not imputed to us, who now do most humbly seek that all things may be reformed by order. But that whatsoever inconvenience shall happen to ensue for lack of timely redresse, the same may be imputed to those that will not as now hearken to our petitions for reformation.

And last we protest, that these our requests proceeding from conscience do tend to no other end, but onely to the reformation of abuses in religion; most humbly beseeching the sacred Authority to think of us as faithful and obedient subjects, and take us in their protection, keeping that indifferency which becometh Gods Lieutenants to use towards those that in his name do call for defence against cruel oppressors and blood-thirsty tyrants.

These protestations made in face of Parliament, were desired to be insert in the books of publick records, but Queen Regent answering that she should remember what was protested, and put a good end to all things, the desire was rejected.

Yet how soon the Parliament brake up, and all matters in it went to her contentment, it was observed that her countenance was quite altered upon those that favoured the Reformation, and often she was heard say, *That being now freed of the vexations which most troubled her minde, she would labour to restore the authority by some notable example to that reverend esteem, which in the late times it had lost: whereby divers did apprehend that a tempest was breeding, albeit the same did not break forth untill the next spring; At which time taking up the names of all the Ministers in the countrey, she caused summon them to appear at Striveling the tenth of May.*

Hereupon

The Protestation refused to be inserted in the records.

The Queens countenance changed towards the Congregation.

Hereupon the Earl of *Glencarn*, and Sir *Hugh Cambel* Sheriffe of *Aire*, were sent to enquire the reason of that citation, and to entreat her not to molest the Ministers, unless they could be charged with preaching false doctrine, or behaving themselves disorderly. The Queen in passion replied, *That maugre their hearts, and all that would take part with them, these Ministers should be banished Scotland, though they preached as soundly as ever S. Paul did.*

An. 1559.

Ministers cited to appear at Striveling.

The Noblemen marvelling what should move her to such passion, besought her in humble manner to think of the promises she had made to them from time to time. Hereat growing into a greater choler she said, *That the promises of Princes should be no further strained, then it seemed to them convenient to perform.* Then said they, *if this be the conclusion which you have taken, that you will keep no promises to the Subjects, we cannot any longer acknowledge your authority, and will henceforth renounce all obedience to you; what inconveniences may arise of this, you may bethink your selfe.* This unexpected answer calming the Queen a little, after a few more words, she said, that she would think how to remedy these evils in the best and most quiet sort.

Commissions directed to the Queen.

The same day at night advertisement was brought to the Queen of the reformation begun in the town of *Perth*, wherewith she was much disturbed, and calling the Lord *Ruthven*, commanded him to go and suppress these novations: he answering, *That he should make their bodies and goods subject, but had no power over their mindes and consciences,* she was so commoved, that she avowed to make both him and them repent what they had done.

Reformation begun at Perth.

The Diet appointed for the appearing of the Ministers at *Striveling* drawing nigh, the Professors in all parts of the countrey prepared to accompany them. In the parts of *Angus* and *Mernis* such was the zeal of people, as none would stay at home, all professing to go and yield confession of their faith with their Ministers.

The Queen advertised of this concourse of people from all parts, employed *John Araskin* of *Dun* to cause them return home, promising that the Diet should desert, and nothing to be done to the prejudice of the Ministers. This he signified by letters to the principals of the Congregation, advising them to dismiss the multitude. But they suspecting (as it also came to passe) that some advantage should be taken of the Ministers not appearing at the day, resolved to make the Commons return to their houses. The Barons and Gentlemen staying at *Perth* in the mean while with the Preachers, when the day appointed came, notwithstanding of the promises made, the Preachers not appearing, were denounced Rebels. The Laird of *Dun* offending herewith, departed from Court, and coming to *Perth* excused himself of the advice he had given, declaring that they were not to expect any favour, and that they should do wisely to provide against the worst.

The Queen Regent dealt with the Lord of *Dun* to stay the contentions of people.

Whilest these things passed, *John Knox* returned from *Geneva* unto *Scotland*; and joyning with the Congregation, did preach to them at *Perth*. In his Sermon he took occasion to speak against the adoration of Images, shewed that the same tended to God his dishonour, and that such Idols and monuments of superstition, as were erected in Churches, ought to be pulled down, as being offensive to good and godly people. The Sermon ended and the better sort gone to dinner, a Priest rather to try mens affections, then out of any devotion, prepared to say Masse, opening a great case, wherein was the history of divers Saints exquisitely carved. A young boy that stood by saying, that such boldnesse was unsufferable, the Priest gave him a blow. The boy in anger casting a stone at the Priest, happened to break one of the pictures: whereupon stirre was presently raised, some of the common sort falling upon the Priest, others running to the Altar and breaking the images, so as in a moment all was pulled down in the Church that carried any mark of idolatry. The people upon the noise thereof assembled in great numbers, and invading the Cloysters, made spoile of all they found therein. The *Franciscans* had store of provision both of victuals and household-stuffe: amongst the *Dominicans* the like wealth was not found, yet so much there was, as might shew the profession they made of poverty to be faigned and counterfeit. The *Carthusians*, who passed both these in wealth, were used in like manner, yet was the Prior permitted to take with him what he might carry of gold and silver plate. All the spoile was given to the poor,

John Knox joyneth with the Congregation at *Perth*.The Monasteries demolished at *Perth*.

An. 1559.



The Images
pulled down
at Couper in
Fife.

Queen Regent
intendeth to
surprise Perth.

The Earle of
Glencarne
cometh to
assist the town.

An accord me-
diated by the
Earle of Argile
and Lord
James.

The condi-
tions of the ac-
cord.

the rich sort forbearing to meddle with any part thereof. But that which was most admired, was the speed they made in demolishing these edifices. For the *Charter-house* (a building of exceeding cost and largeness) was not onely ruined, but the stones and timber so quickly taken away, as in less then two dayes space a vestige thereof was scarce remaining to be seen. They of *Couper* in *Fife* hearing what was done at *Perth*, went in like manner to their Church, and defaced all the Images, Altars and other instruments of idolatry; which the Curate took so heavily, as the night following he put violent hands in himself.

The report of these things being brought to Queen Regent, she was greatly incensed, especially against those of *Perth*, and presently dispatched letters to the Duke of *Chastellerauld* (the Lord *Hamilton* was so styled) and to the Earls of *Argile* and *Athol*, desiring them to come to her with diligence. The *French* garrison were likewise called, her purpose being to surprise the town at unawares. But they within the Town receiving advertisement of her preparation, sent messengers to all the parts of the kingdom for aid and assistance. Many came to their succours from *Angus*, *Mernis*, *Fife*, and the adjacent Shires: some also from *Lothian*. But the celerity which *Alexander* Earle of *Glencarne* used, was most admired; for he upon warning given him of the danger wherein the town stood, taking his way through the mountains, travelled night and day till he came to *Perth*, bringing with him two thousand and five hundred men, a good and opportune support; The Lord *Ruthven* having a little before fallen from them, and gone to the Queen; which bred a great discouragement to the rest. The principalls that came in *Glencarnes* company were the Lords of *Boyde* and *Ochiltree*, the Sheriffe of *Aire*, the Laids of *Cragie*, *Sesnok*, *Carnall*, *Bar*, and *Garthgirth*.

The Queen getting intelligence that the Earle of *Glencarne* was come to assist them, and that in the town there was seven thousand Gentlemen, besides the Burgers, resolute men all; sent the Earle of *Argile* and the Prior of *Saint Andrewes*, called then Lord *James*, to enquire the reason of their Convocation, and mediate an accord. The Earle of *Glencarne* and Laird of *Dun* selected to treat with them, answered to the first point, *that they were come thither to defend their friends, and save the town from destruction*. As to the accord they professed to mediate, they said, *that if Queen Regent would cease from troubling the professors of true Religion, and suffer the reformation begun in the town to proceed, they should in all other things be obedient to her commandments*.

The Noblemen employed in this treaty were known to be well affected to the cause, which made them within the town hearken to the conditions proponed; and so much the rather, that the Noblemen did promise, if the Queen did either refuse to accept reasonable conditions, or the same being accepted did violate the least jot thereof, they should in that case joyne themselves openly with the Congregation, and undergo the like hazard that they did. Thus at their perswasion the Articles following were drawn up and agreed unto by both parties.

1. That both the Armies dissolving, the Towne should be left patent to the Queen.

2. That none of the Inhabitants should be molested or called in question for the alteration they had made in Religion.

3. That no *French* men should enter into the Towne, nor approach to it by the space of three miles, and that when the Queen retired, there should no *French* garrison be left in the Town.

4. That all other controversies should be delayed unto the next Parliament, or meeting of the Estates.

This appointment was made the 29 of May, anno 1559. after which publick thanks being given by *John Knox* for the good issue of the present trouble, the Congregation departed forth of the town, having first obliged themselves one to another, that they should all concur in maintaining the true Religion, and be ready at all occasions to defend the Professours thereof; for still they feared that promises should not be kept with them: And that the Queen would finde occasions to violate

the

the Articles, whensoever she pleased, as the successe also declared.

For immediately upon their departing, she entered into the towne with some *French* souldiers in her company, contrary to the Articles; one of whom marching by the house of *Patrick Murray* a Citizen, who was known to be most forward in the cause of Religion, whether casually or of purpose, it is uncertain, killed with a shot his son, a boy of 13. yeares old, that was beholding the Queens entrie. The childe being brought and laid before the Queens lodging, she asked whose son he was; answer made that he was the son of one *Patrick Murray*, she said that *the case was to be pitied: and the more, that it had fallen on the son, and not on the father; but she could not help misfortune.* Before three dayes passed, all the heads of the Capitulation were broken, some of the Citizens exiled, others fined in great sums, the present Magistrates thrust out of Office, new Rulers intruded, and foure Companies of souldiers left in the town for a Garrison, who were charged to permit no other Service but that of the *Romane Church*, which against promise she had of new established. Some that desired matters should be more peaceably carried, told her that the placing of a Garrison would be interpreted a breach of the Articles; she answered, *that the promise was to leave no French souldiers in the towne, which she had done, for they were all Scottish men that were there:* and it being replied, that all who took wages of the *French King*, would be counted *French* souldiers: she said, *that promise was not to be kept to Hereticks, and if she could make as honest an excuse after the fact committed, she would take upon her conscience to kill and undo all that Sect.* But Princes, saith she, *ought not to have their promises so strictly urged.*

These speeches being divulged did procure to her much ill will. Some reason indeed she had to assure the towne, it being the town of all the Kingdome most commodious for the assembling of forces out of all quarters, and the people by nature bellicose, and at that time greatly inclined to those of the Congregation: but the advantage she made of this was little or nothing to the malice she incurred by the breach of promises. Neither did she after this time ever see a good day, but was of all sorts of people despised and misregarded.

The Earle of *Argyle* and Lord *James* thinking their honours touched by the breach of the peace, which they had mediated, did forsake her and went to the Congregation: whereupon they were charged to appear before the Councell; but they answered, *That seeing the Queen had broken Conditions, which by warrant from her selfe they had made with the Lords of the Congregation, they would have no more meddling in such dishonest courses, and do the best to repair things.*

The Noble men remained at that time in Saint *Andrewes*; and because they foresaw this their answer would not be well accepted, and feared some sudden attempt, (for the Queen with her *French* men lay then at *Falkland*) they sent to the Lords of *Dun* and *Pittarrow*, and others that favoured Religion in the Countries of *Angus* and *Mernis*, and requested them to meet at Saint *Andrewes* the 4. day of *June*. Mean while they themselves went to the town of *Craile*, whither all that had warning came, shewing great forwardness and resolutions; and were not a little encouraged by *John Knox*, who in a Sermon made unto them at the same time put them in minde of that he foretold at *Perth*, how there was no sincerity in Queen Regents dealing, and that conditions would not be kept, as they had found. Therefore did he exhort them not to be any longer deluded with fair promises, seeing there was no peace to be hoped for at their hands, who took no regard of Contracts and Covenants solemnly sworn. And because there would be no quietness till one of the parties were masters and strangers expelled out of the Kingdome, he wished them to prepare themselves, either to die as men, or to live victorious.

By this exhortation the hearers were so moved, as they fell immediately to the pulling down of Altars and Images, and destroyed all the Monuments which were abused to idolatry in the town. The like they did the next day in *Austruther*, and from thence came directly to Saint *Andrewes*. The Bishop hearing what they had done in the Coast-towns, and suspecting they would attempt the same reformation in the City, came to it well accompanied, of purpose to withstand them: but after he had tried the affections of the townsmen, and found them all inclining to the

An. 1559.

Queen Regent
entrench into
Perth.The Articles
of peace vi-
lated.The Earle of
Argyle, and
Lord James
forsake the Re-
gent.John Knox in a
sermon preach-
ed at Craill
perswadeth the
expulsion of
the French.Images pulled
down at Craill
and Austruther.

An. 1559. Congregation, he went away early the next morning towards *Falkland* to the Queen.

The Monasteries of S. *Andrewes* demolished.

That day being Sunday, *John Knox* preached in the Parish Church, taking for his theme the History of the Gospel touching our *Saviours purging of the Temple*: and applying the corruption which was at that time in *Jerusalem* to the present estate in the Church, and declaring what was the duty of those to whom God had given authority and power; he did so incite the Auditors, as the Sermon being ended, they went all and made spoil of the Churches, rasing the Monasteries of the *Black* and *Gray Friars* to the ground. The report of this carried to Queen Regent, she was sore incensed, and presently gave order for the marching of the *French* companies towards Saint *Andrewes*, directing Proclamations to all the parts about for meeting her in armes the next morning at *Couper*.

Proclamation to meet the Queen at *Couper*.

The Lords of the Congregation prevent her.

The Lords taking purpose to prevent her coming, went the same night thither accompanied with 100. horse onely, and as many foot; but such was the readines of men in that quarrell, as before 10. of the clock on the next day their number grew to 3000. The Earle of *Rothes* and Lord *Ruthven* brought with them many Gentlemen from *Lothian*; the Laids of *Calder*, *Ormston*, *Halton*, *Restarig* and *Coalston* brought only a few; for the warning they got was late, yet their presence did greatly incourage the rest. The towns of *Dundy*, Saint *Andrewes* and *Couper* shewed great resolution and courage.

The meeting at *Couper moore*.

In the morning early the Noble men had drawn forth their Companies to the Moore on the West side of the town, and committed the direction of all things to Mr. *James Halleburton*, Provost of *Dundy*, a man of good experience, and much esteemed both for valour and counsell, who made choice of a plot of ground most convenient for defence; for it lay so, as the Munition might play on all sides upon the enemy without receiving any annoyance from them, till it should come to handy blows. A little river ran also between the Armies, which the enemies behoved pass before they gave the onset. The Lord *Ruthven* with the horsemen was placed in the vanguard, the other Lords with the Gentlemen of *Angus*, *Mernis*, *Fife* and *Lothian*, made the battell. The townesmen of *Dundy*, Saint *Andrewes* and *Couper* were set in the rear, and a certain space from them were the serving men and followers of the Camp appointed to stand, which made shew of an auxiliary force provided against all accidents.

The estate of the Queens Army.

In Queen Regents Army the *French* were commanded by *Monsieur de Offell*, and the *Scots* by the Duke of *Chatterault*: the morning was dark, and the fields covered with a foggy mist, which hindered the Armies that they could not see one another. About noontide when the aire began to clear, the *French* sent some of their company to view the numbers and order kept by the Congregation: who beholding them from a farre, as they stood ranged in three battells, and perceiving behind them the multitude of serving people, which they took to be a supply of *French* men, affirmed at their return the numbers to be greater then in truth they were. Upon this a Post was directed to the Queen (who was not as yet come from *Falkland*) to enform her how matters went, and to shew that the Lords were much stronger then was supposed, and very forward to fight; as likewise that they perceived a secret muting in their own Army, some openly professing, that they would not fight against their friends and countrey men for the pleasure of strangers. She hearing this was content they should treat for peace; so the Lord *Lindsey* and *Waughton* were employed by the Duke to confer with the Lords, who at first were not suffered to approach nigh to the Army, and had answer that they knew the Queen had sent those forces to pursue them, and if they would invade they should finde them prepared to defend. But they professing all their desires to be for peace, and that they were sent to that effect, were afterwards permitted to goe to the Lords: who told them, that they had been so often abused with the Queen Regents promises, as they could not trust her words any more; but if she would send back the *French* men that troubled the Countrey, and give surety that no violence should be used to those that professe the true Religion, they should not be found unreasonable. It was answered, that for dimittig the *French* men, she could say nothing till the *French* King was advertised; and for the security

A treaty for peace.

The *French* required to be dimitted.

city

rity craved, she could give no other but her own word, nor stood it with her honour to do otherwise. Thus because a present peace could not be concluded, a truce for eight dayes was made, upon condition that the French souldiers should be transported unto Lorbrian, and promise given, that before the expiring of that time some indifferent men should be sent to Saint Andrewes, authorized with sufficient power for making a firm and solid peace. This truce made at Garlibank the 13. of June, 1559. was signed by the Duke and Monsieur de Orsell in name of the Queen.

An. 1559.

The truce accorded.

This done the Lords of the Congregation departed leaving the fields first at the Dukes request, and returning to Comper gave publick thanks for that the enemies had failed of their purpose. The next day dismissing the multitude, they went to Saint Andrewes, where attending some days, (but in vain) the coming of these indifferent persons who were promised to be sent thither, for concluding a finall peace, complaints were dayly brought unto them of the oppressions used by the Lord of Kinfawns, whom Queen Regent had placed Provost in the town of Perth. The Earle of Argile and Lord James did hereupon write to the Queen, shewing how at her speciall desire they had travelled with the Congregation then being at Perth, and brought them to accept of the conditions propounded by her self: the breach whereof chiefly in one point, that is, the placing of a Garrison of souldiers in the town of Perth, was no lesse dishonourable to them who had given their promises to the contrary, then it was grievous to the people: Therefore they desired the Garrison might be removed, and the town restored to the former liberty.

The town of Perth complained of their oppressions.

No answer returning, the Lords resolved to expulse the Garrison by force, and coming to Perth the 24. of June, they summoned the Provost, Captains and Souldiers to render, assuring them, if they held out, and that it happened any one to be killed in the assault, all their lives should pay for it. The Provost and Captains answered, That they had promised to keep the town for Queen Regent, and would to the last drop of their blood defend the same. As these things were in doing, the Earle of Huntley, the Lord Areskin, and Mr. James Bormatyne, Justice Clerk, came by direction of the Queen to perswade the Lords to delay the siege, at least for some dayes: but they refused to defer it the space of one houre, praying them, if they loved the safety of the besieged, to advise them to render; for if any harm should be done in the assault, their lives should answer it. Huntley offending that his intercession availed not, left them without a farewell.

The Lords besiege Perth.

Then were the Provost and Captains again summoned, but they expecting no sudden assault, and being confident that the Queen would send relief, answered as before; whereupon the Lord Ruthven that lay on the West quarter began to batter the walls with his munition. The men of Dundy who lay upon the East side, played upon the town in like manner with their peeces, which put the besieged in fear; so as considering their own weakness, and doubting the succour should come too late, they demanded a Parlee, wherein it was agreed, that if the Queen did not send relief within the space of 12. houres, they should depart and go forth of the town with their weapons and ensignes displayed. Thus was the town yeilded, Kinfawns expelled, and the Lord Ruthven repossessed in his charge, and the inhabitants restored to their Liberties.

Perth yeilded upon Composition.

The next day the Abby of Scone, situate a mile above Perth, was burnt to ashes by the townsmen of Dundy: The Noble men were earnest to have the Church and house saved from fire, but the people were in such fury because one of their company was killed by a shot from the house, as by no means could they be pacified.

The Abbey of Scone demolished.

Intelligence in the mean time coming to the Lords, that the Queen was of minde to place a Garrison of French souldiers in Striveling to stop that passage and exclude the Professors beyond the river of Forth from those of the South, they made haste to prevent her, and rising at midnight came early in the morning to the town, and immediately after their coming, pulled all the Monasteries to the ground. The Altars and Images in all the Churches within and about the town were broken and defaced, and the Abbey of Cambuskenneth ruined and cast down. Three dayes they abode at Striveling, and on the fourth marched towards Edinburgh, doing the like

The Abbey of Cambuskenneth ruined.

An. 1559.

Images and
Altars pulled
down at Lin-
lithgow and
Edinburgh.

A Proclama-
tion by Queen
Regent.

Rumours dis-
persed to the
prejudice of
the Congrega-
tion.

The Lords
purge them-
selves to the
Queen.

The Procla-
mation of the
Lords.

at *Linlithgow*, which is in the way. The rumour of their approach, though they were but few in number (for they passed not three hundred men in all) did so terrifie the Queen and the companies that were with her, as with all the haste they could make, they fled to *Dumbar*. The Lord *Seaton*, who for the time was Provost of *Edinburgh*, and took upon him the protection of the *Black and Gray Friars*, abandoned the charge, and left all to the spoile of the multitude, who before the arriving of the Lords had demolished all the monasteries within the Town, and carried away whatsoever they found in the same. It is strange to think how by so weak means in such a disorderly way those things should have been wrought, seeing upon the least shew of resistance the enterprisers would in all probability have left their attempt. But God put such a fear in the adversaries hearts, as they did flee, none pursuing.

Queen Regent not knowing how to redresse these things, gave forth a Proclamation, wherein she declared, "That having perceived a seditious tumult to be raised by a part of the Lieges, who named themselves the *Congregation*, and under pretence of Religion had taken Armes, she by the advice of the Lords of the Privie Councel, for satisfying every mans conscience, and pacifying the present troubles, had made offer to call a Parliament in *January* next, or sooner if they were pleased, for establishing an universal order in matters of Religion by the advice of the Estates, and in the mean time to suffer every man live at liberty, serving their conscience without any trouble, untill further order were taken. And because much appeared to consist upon the state of the Town of *Edinburgh*, she in like manner had offered to permit the inhabitants to use what manner of Religion they would during that time, to the end none might have just cause to say, that they were forced to any thing against their mindes. But that they of the congregation rejecting all reasonable offers, had by their actions clearly shewed, that it is not Religion, nor any thing pertaining thereto that they seek, but onely the subversion of authority, and the usurpation of the Crowne. In testimony whereof they daily brought *English* men into their houses that come with messages unto them, and returned answers back to *England*, and of late had violently possessed the Palace of *Halirudhouse*, and intromitted with the Irons of the *Mint-house*, one of the chief things that concerned the Crown. Wherefore she commanded all persons belonging to the said congregation, (the inhabitants of the Burgh excepted) to depart forth of the town of *Edinburgh* within six houres after the charge, as likewise all that were of their society to forsake them, and live obedient to the authority, except they would be reputed and holden traitours to the Crown, &c.

Together with this Proclamation rumors were dispersed, that the Lords of the Congregation had conspired to deprive the Queen Regent of her authority, and to disinherit the Duke of *Chattelerault*, and his heirs of their succession and title to the Crown. These rumours were believed of divers, and prevailed so farre, as many that assisted the Congregation began to shrink and fall away: in regard whereof it was thought needful they should clear themselves, both by their letters to the Queen, and open Proclamation to the people, which they did in manner following.

First in the letters directed to the Queen they said, *That they had notice given them of a Proclamation lately made, wherein they were traduced as usurpers of their Sovereigns authority and invaders of her person, who in absence of their Sovereigns governed the Realm, which they esteemed to proceed of a sinistrous information made by their enemies, and was an imputation most false and odious; their intentions being no other, but to abolish idolatry and superstitious abuses, that did not agree with the word of God, and maintain the true Preachers thereof from the violence of wicked men. They did therefore beseech her, to use her authority to that effect, and for other matters she should find them as obedient as any subjects within the Realm, whereof they promised to give testimony and assurance, so as they might have safe access to her Highnesse. This was the substance of the letter which was sent by the Lords Ruthven and Ochiltree unto her.*

In the Proclamation they did call God to witnesse, *That such crimes as they were charged with, never entered into their hearts, and that their only intention was to banish idolatry,*

idolatry, and advance true Religion; and defend the Preachers thereof, promising to continue in all duty towards their Sovereign and her mother their Regent, provided they might enjoy the liberty of their consciences. As to the intromission with the Irons of the Minthouſe, they ſaid, That they being born Counſellors of the Realm, and ſworne to procure the profit thereof, when they underſtood the ſubjects to be greatly hurt by the baſeneſſe of the money which increaſed the dearth of all neceſſary wares, they could do no leſſe of their duties, then ſtay the coining of more lay money, untill the Nobility and Councel had taken further deliberation therein; And where it was given out, that they had ſpoiled the Minthouſe of great ſummes, in that point they did remit themſelves to the Declaration of Mr. Robert Richardſon Maſter of the Mint, in whoſe hands they delivered all the gold and ſilver both coined and uncoined, which there was found; &c. For the Intelligence with England nothing was replied: whereby it ſeemed there was ſome dealing that way for expelling the French men, which they did not deny, and thought not convenient as then openly to profeſſe.

The Queen taking hold of the laſt words of the letter ſent unto her ſelf, and deſiring to know what they would ſay, as likewiſe truſting to gain ſomewhat by conference with them, did offer a ſafe conduct to any they pleaſed: whereupon the Lairds of Pittarrow and Cunningham-head were ſent in name of the Congregation, to declare that their intent and purpoſe was no other, but that they might enjoy the liberty of their conſciences; and unable Miniſters be removed from all Eccleſiaſtical adminiſtration; Chriſt Jeſus might be truly preached, and his holy Sacraments rightly adminiſtered; and that their Preachers might be licenced to do their offices without moleſtation, untill ſuch time as by a general Councel lawfully convened, or by a Parliament within the Realm, the controverſies of Religion ſhould be decided. which things being granted, they did faithfully promiſe in all other things dutiful obedience. Onely to be aſſured of ſincere dealing, they deſired that the French companies which were to the countrey a burthen, and fearful to them, might be ſent home to their native countrey.

Theſe Propoſitions were not pleaſing, yet made ſhe no ſhew of any diſlike, but uſing gracious words, ſaid, That if ſhe could be aſſured of their honeſt and dutiful meaning to her daughter, and her ſelf, their demands ſeemed not unreaſonable. But ſhe longed to ſpeak with ſome of their number who were of greater authority, meaning as afterwards ſhe uttered that her deſire was, the Earl of Argyle and Lord James ſhould come unto her; for when ſhe ſaw the Lord Ruthven and Ochiltree returned not unto her, with the Laird of Pittarrow, ſhe fell a complaining, that ſhe was not ſought in a courteous manner, and that they in whom ſhe put her moſt confidence, had left her in her greateſt need. In end ſhe ſaid, That ſhe could not be ſatisfied till ſhe ſpoke with the Earl of Argyle, and Lord James, for ſtill ſhe ſuſpected there was ſome higher purpoſe amongſt them then religion.

This reported to the Lords, they would not by any means condeſcend that theſe Noblemen ſhould go unto her, doubting ſome practice againſt them; for ſhe was heard ſay; That if the means could be found out to divide theſe two from the reſt, ſhe was ſure to prevail: one likewiſe of her chiefe attendants was ſaid to have bragged, that before Michaelmas next both theſe Noblemen ſhould loſe their heads. This not ſucceeding, it was agreed that the Duke, the Earl of Huntly, the Lords Erſkin and Summerſaile, with the Abbot of Kilwinning, and Juſtice Clerk ſhould meet for the Queen, with ſuch as the Congregation did appoint, for treating of the beſt means to ſettle a conſtant and ſolid peace, and for the part of the Congregation were named the Earles of Argyle and Glencarne, the Lord Ruthven, Boyd, and Ochiltree, the Lord James, the Lairds of Dun and Pittarrow.

Theſe meeting at Preſton, to the number of an hundred on each ſide, (as was appointed) conferred together a whole day; but without any concluſion; for the Queen ſeeming to yield unto the free exerciſe of Religion would have it provided, that in what place ſhe happened to come, the Miniſters ſhould ceaſe from preaching, and the Maſſe only be uſed. The Lords answered, That this were to leave them no Church, for when the Queen pleaſed, ſhe might change the place of her reſidence, and ſo there could not be any certain exerciſe of Religion, which were all alike, as to overthrow it. In theſe termes they parted that night, yet the Lords named for the Congregation

An. 1559.

The Lairds of
Pittarrow and
Cunningham-
head, ſent to
the Queen.

The Queens
deſire to ſpeak
with the Earl
of Argyle, and
the Lord
James.

The Lords
ſuſpecting
ſome practice,
refuſe to ſend
the Noble-
men.

A meeting at
Preſton.

An. 1559.

The answer of
the Lords to
the condition
proponed.

gation unwilling to break off the conference, said, they would think more of the business, and advertise what would be yeilded unto.

After some deliberation, the Lord *Ruthven* and *Pittarrow* were remitted with this answer, *That as they could not impede her to use what exercise of Religion she pleased, so could they not agree that the Ministers of Christ should be silenced upon any occasion, much lesse that the true service of God should give place to superstition and idolatry. Wherefore they humbly requested (as often they had done) liberty to serve God according to their consciences, and did beseech her to remove the French souldiers, otherwise there could be no firm and solid peace.* The Queen hearing all, replied only that she wished there might be peace; but to none of the points proponed made she any direct answer. Whereupon the Noblemen resolved to bide together at *Edinburgh*, and not depart till matters were fully composed.

Newes of the
French Kings
death.

Newes in this time were brought of the French King *Henry* the second his death, which put the Lords in some better hopes, but withall made them more carelesse; for divers, as though nothing was now to be feared, did slide away to attend their private affaires, and they who remained expecting no invasion, lived secure, keeping neither watch nor ward, as if there had been no enemy to fear. The Queen on the other side became more watchful, observing all occasions whereby she might weaken the faction, and assure her self: So getting notice of the solitude which was at *Edinburgh*, she hasted thither with the companies she had. The Lords advertised of her coming, grew doubtful what to do, for howsoever they might save themselves by flight, they saw the town by their retiring should be lost, and the Church, which in some good fashion was then established, be utterly cast down; therefore with the small number they had, they issued forth of the town; and putting themselves in order, stood on the East side of *Craigingate*, to impede the approach of the French. The Duke and Earl of *Morton*, who were gone that morning to meet the Queen, and give her the convoy, laboured to compose things, but prevailed not; onely that day they kept the parties from falling into an open conflict. The next day when the Queen, which lay all that night at *Leith*, prepared to enter into the town by the West port, and that the Lords were advancing to stop her in the way; the Lord *Areskin*, who untill that time had carried himself a neuter, threatened to play upon them with the Canon, unlesse they suffered the Queen to enter peaceably, and without trouble. This it was supposed he did, to make them accept the conditions of truce offered the day before, which they seeing no better way, were content to yeeld unto. The Articles were as followeth.

The Queen
prepareth to
enter into
Edinburgh.

The Articles
of the Truce.

1. That the Congregation, and their adherents, (the inhabitants of *Edinburgh* only excepted) should depart forth of the town, within the space of twenty four houres, to the end the Queen Regent and her companies may enter peaceably in the same.

2. That the Congregation should render the Palace of *Halirudhouse*, with all the furnishing they found therein, redeliver the *Minthouse* and Printing Irons the next morning before ten of the clock: and for observing this and the former Article, the Lord *Ruthven*, and Laird of *Pittarrow* should enter as pledges to the Queen.

3. That the Lords of the Congregation, and all the members thereof should remain obedient subjects to the King and Queens authority, and to the Queen Regent, as governing in their place, observing the lawes and customes of the Realm, as they were used before the raising of this tumult in all things, (the cause of Religion excepted) wherein the order after specified, should be followed.

4. That the Congregation should not trouble nor molest any Churchman by way of deed, nor make them any impediment in the peaceable enjoying and uplifting their rents, and that it should be lawful for them to dispoise, and use their benefices and rents, according to the lawes and customes of the Realm, untill the tenth of *January* next.

5. That the Congregation should use no force nor violence in casting down of Churches, religious places, or defacing the ornaments thereof, but the same should be harmlesse at their hands, untill the tenth of *January* next.

6. That the town of *Edinburgh* should use what Religion they pleased,
untill

untill the said day, and none of the Subjects in other parts of the countrey be constrained against their mindes in matters of that kind. An. 1559.

7. That the Queen should not interpone her authority, to molest the Preachers of the Congregation, nor any other their members in their bodies, lands, possessions, pensions, or whatsoever other kind of goods they enjoyed; nor yet should any spiritual or temporal Judges trouble them for the cause of religion, or other action depending thereupon, untill the said tenth of *January*, but that every man should live in the mean time according to conscience.

8. That no man of Warre, *French* or *Scottish*, should be put in Garison within the town of *Edinburgh*, only it should be lawful to the souldiers to repaire thither for doing their lawful affaires; which done, they should retire themselves to their proper Garisons.

This truce, and the heads thereof published, the Lords departed towards *Strive-ling*, leaving *John Willock* Minister to serve in the Church of *Edinburgh*. As they departed, the Duke and Earle of *Huntley* met with them at the Quarry holes, promising if any part of the appointment should be violated, to joyn all their forces for expulging the *French* out of the Realm: and indeed the Queen was then more careful nor in former times she had been, to see that no breach should be made; howbeit many wayes she went about to reestablish the Masse, and bring the favourers of Religion in contempt. In *Edinburgh* she employed the Duke, the Earle of *Huntley*, and Lord *Seaton*, to deal with the Magistrates and Councel of the Town, that they would appoint some other Church then *S. Giles* where their Minister might preach, reserving that Church to her use, and for the exercise of the Masse. The Magistrates answered, *That S. Giles Church had been the ordinary place of their meeting to Sermon and other Religious Exercises, and could not be taken from them without a manifest breach of the truce; seeing by one of the Articles it was provided, that the Preachers of the Congregation should not be molested in any thing they possessed at the making of the appointment.* *Huntley* replying, That the Queen meant to keep all conditions, and desired this onely of their favour; or if they would not change the place of their preaching, that at least they would permit Masse to be said either before or after Sermon in the Church of *S. Giles*: They answered, *That they were in possession of that Church, and would never consent that Idolatry should be there again erected; or if men would do it violently, they behoved to suffer, and would use the next remedy.*

The Lords depart to *Strive-ling*.

The Queen desireth the Church of *S. Giles* for the exercise of Masse.

The Magistrates answer.

This being refused another device was invented, that the *French* Captains, with their souldiers, should in time of Sermon and prayers keep their walkes in the Church, and trouble the exercise so much as they could. This they thought would enforce them to make choice of a more retired place for their Sermons; or then irritate the people, and breed an occasion of some disorder, so as the breach of the peace should proceed from them. The insolence was great they committed in this kind, for they did laugh and talk so loud all the time, as the Preacher could not be heard, yet was it patiently digested, knowing that an occasion of trouble was only sought. In other places their behaviour was no better, for at *Leth* they did cut in pieces the Pulpit erected for the Preachers, and set up the Masse, which had been suppressed before in that town. The like did they in the Abbey Church, forcibly abolishing the service of Common Prayers, which there was ordinarily used. And in what place soever they came, some one disturbance or other they wrought to the professors of the truth. Herewith a rumour was dispersed amongst the vulgar, *That it was not Religion as the Congregation pretended, but an open rebellion they went about; and that their purpose was to disinherit their lawful Queen, and set up Lord James her base brother in her place:* which by divers was apprehended as truth, and wrought a great alienation of mindes from the cause.

The French Captains and souldiers trouble the people in hearing the Sermon.

About the same time came Monsieur *Crook* a *French* Gentleman with letters from the Queen and King *Francis* her husband to Lord *James*, full of exprobrations and menacings, as appeareth by the Copies here insert.

Francis

An. 1559.

Francis King of France to James Prior of S. Andrewes.

A letter to
Lord James
from King
Francis.

„ Cousin, when I understood as well by letters as common report the tumults
 „ raised at this time in *Scotland*, I was much commoved, especially when it
 „ was said that you, to whom my dear wife, my father deceased, and my self have
 „ given so many benefices, should be the head and principall fosterer of the same.
 „ That you should be so forgetfull of our love, and of the duty you have at all
 „ times professed unto the Queen, I would not believe; or if it was so as the same
 „ commonly reporteth, I did think that you were induced by the promises and flatter-
 „ ing perswasions of others to take the fault upon you whereof they were the
 „ cause, supposing the offence would be esteemed either none, or very small in
 „ your person. This my conceit of you, if it be true, shall be as joyfull to me as
 „ that which should be most joyfull, for I should wish by this mean some part of
 „ my displeasure mitigated into which you are worthily fallen, having deceived the
 „ hope which I had of your piety towards God, and your faithfull service towards
 „ my self. Therefore since nothing can be more acceptable to me, then to hear that
 „ controversies are composed, and all things compacted without tumult, according
 „ to law and good order; and since I am perswaded this may be easily done by
 „ your credit, I thought meet to advertise you by these letters, and for the good
 „ will I bear you, I do earnestly request that you will return to the obedience from
 „ which you have foully fallen, that so I may see you carry another minde, then
 „ that which your foolish actions have manifested. This will appear to be so, if
 „ that you apply your diligence to bring those things which now are out of order
 „ in those parts, back again to the ancient and sound form of obedience, which you
 „ know is due to God and me. Otherwise I would have you, and all those that adhere
 „ unto you, perswaded that ere it be long I shall take such punishment of you and
 „ them, as your wickedness deserveth, which I have given the bearer charge to make
 „ known unto you at more length, whom I will you to credit as my self, praying
 „ God, my Cousin, to have you in his protection. *Paris* the 17. day of *July* 1559.

The Letter sent by the Queen, was of the tenor following;
 MARY, Queen of *Scotland* and *France*, to James Prior
 of the Monasterie of S. Andrewes.

Another letter
from the
Queen of
Scots to Lord
James.

„ I Cannot my Cousin wonder enough, how you that are nighest us in bloud, and
 „ greatly benefitted by our liberality, as your self knoweth, should be so pre-
 „ sumptuous and wickedly disposed, as by one and the same fact to violate the
 „ Majesty of God, and the authority belonging to me, and my husband; for to me
 „ it is a wonder that you, who being with me did complain of the Duke of *Chattel-*
 „ *lerault*, and divers others for dismissing my authority, should now be the leader of
 „ a faction in matters of greatest weight, wherein not onely the honour of God
 „ is touched, but my authority all utterly taken away: which I would have more
 „ easily believed of any other of my subjects then of you, for I had a speciall hope
 „ of your fidelity, and am not a little grieved that you should have deceived me;
 „ Though yet I can scarce be perswaded, that you are gone so far from truth and
 „ reason, as to be carried away with such blinde errors which I wish were not, as
 „ any in the world else, beseeching God to illuminate you with his light, that re-
 „ turning into the right way you may shew your self (by doing things contrary to
 „ that you have already performed) a good man, and obedient to our lawes; where-
 „ of by these letters I thought good to admonish you, and withall earnestly to in-
 „ treat you to amend your by gone faults, with better deeds in time coming; that
 „ the anger which I and my husband have conceived against you, may by that
 „ means be mitigated. Otherwise I would have you understand, that we will
 „ take such punishment of you, that you shall ever remember us, which shall be to
 „ me a most grievous thing. God I beseech to keep you from all danger.

Paris the 24. of *July*. 1559.

Lord

An. 1559.

The answer
given by Lord
James.

Lord *James* having perused the Letters, and conferred a space with the Gentleman, who was commanded to say unto him, *That the King would rather spend the Crown of France, then not be revenged of the seditious tumults raised in Scotland*; made answer in writing as followeth. „ That he was no way conscious to himself of „ any undutifulness either in word or deed against his Soveraignes lawes. That „ it was true he had joyned himself with these of the Nobility who went about the „ reforming of Religion, and would not deny it, but this he did not esteem a fault „ against the King or Queen. For thereby nothing is sought, but the advance- „ ment of Gods honour and the Gospel of *Jesus Christ*, from which if he should „ desist it were in effect to renounce his Lord and Saviour. Then this cause onely „ excepted, he and the rest who were charged with the crime of Rebellion, should „ in all other things be most obsequent. This writing he delivered to Monsieur *Crooke*, who gave it to Queen Regent, she opening the same and reading it, said, *that such a proud and rebellious answer was never given to a King and Queen.*

Some few dayes after this, arrived a *French* Captain called *Octavian* with a Regiment of souldiers, who brought with him great summes of money, and other necessary provisions for warre: But the Queen did incontinent send him back to intreat the *French* King for other four companies to make up the number of twenty Ensignes with an hundred horsemen, and four ships well appointed to keep the Haven of *Leth*: trusting therewith, as she said, and with the assistance she promised her selfe in the Countrey, to daunt all the rebels and bring them to obedience. Meane while, she began to fortifie the towne of *Leth*, as being a Port fit to receive fresh supplies, and a place that might serve the *French* companies for a refuge, if they should happen to be redacted to any necessity.

A *French* Cap-
tain called
Octavian, arri-
veth with a re-
giment of sould-
diers.The Queen
maketh to for-
tifie *Leth*.

The Lords of the Congregation kept at that time a Convention in *Striveling*, and thither came the Earle of *Arrane* (the Duke his eldest son) having left *France* upon this occasion. Being one day in conference with the Duke of *Guise* (who then ruled all things in the *French* Court) and falling in speech of those that professed the reformed Religion, he did utter his minde too freely in their favours: which was so ill taken, as it was resolved to call him in question. Of this, and other speeches that had escaped the Cardinall of *Lorraine* in the Court of Parliament, he was advertised, and thereupon retired quickly from Court, and went to *Geneva*; there he became acquainted with Mr. *Randolph* an *English* man (who was afterwards imployed in many honourable Legations to *Scotland*) and came with him into *England*, where he was much graced by Queen *Elizabeth*, and by her perswasions induced to promise, that at his return he should joyn himself with those that sought to expell the *French* forth of *Scotland*, and move his father so far as in him lay, to take part in that cause. Both which he truly performed; for immediately upon his return he came to the Noblemen at *Striveling* and made offer of his assistance in the common quarrell both of Religion and the liberty of the Countrey. Then going to visit his Father at *Hamilton* he won him to their side, and reconciling some old grudges betwixt his father and certain Noblemen, brought them all to meet together at *Hamilton*, and to write a common Letter to Queen Regent, which was to this effect: “ That it “ was to them a marvell, how she not provoked by any injury, could go so soon “ from the late appointment, as to expulse the ancient inhabitants of the town of “ *Leth*, place therein a Colonie of strangers, as minding to keep the Countrey un- “ der a Tyrannicall subjection; This they said was against her promise, against the “ publick weale, and against the lawes and liberties of the Kingdome; wherefore “ they intreated her to desist from that course, and not to drive them into a necessi- “ ty of seeking the concurrence of the Subjects for resisting the mischief intended “ against the whole. This letter dated at *Hamilton* the 29. of September, was sub- scribed by the Duke of *Chateaufort*, the Earles of *Arrane*, *Argile*, *Glencarn*, and *Mentier*; the Lords *Ruthven*, *Boyd*, and *Ochiltree*, and divers other Barons and Gentlemen.

The Earle of
Arrane joynes
with the Lords
at *Striveling*.A letter dire-
cted to the
Queen from
the Lords.

They

An. 1559.

A letter sent
by them to the
Lord Ereskin.

They wrote also to the Lord *Ereskin* keeper of the Castles of *Edinburgh* and *Striveling*; "Desiring him as a Nobleman and a Member with them of the same Common-wealth to look circumspectly to his own person, and to the strengths committed to his trust, and not to suffer himself to be abused with the promises and policies which they knew would be used. Hereof they did think it needfull, as they said, to give him warning, not that they stood in doubt of his fidelity, but that they esteemed it their duty to advertise him of the common danger, and to assure him, if by violence any should go about to bereave him of those forts, their assistance should not be lacking.

St. Robert Carnagie and Mr. David Borthuick directed to the Duke.

Queen Regent not liking to make an answer to the Lords in writing, sent Sir Robert Carnagie, and Mr. David Borthuick with a letter of credit to the Duke. That which they had in credit to say was, *that she wondred much at his joyning with the Lords, or that he should have permitted the Earle of Arrane his son take that course; and to advise him to come and stay with her at Court; or if they could not obtain that point, that they should dissuade him from taking part with them.* The Duke asking what the Queen meant to do concerning the fortification at *Leth*, and dispatch of the French men; they said, *If all things were put in the Queens will, she would be gracious enough.* Whereunto he replied, *That both he and the rest of the Lords would most willingly serve her, so as she would be ruled by the counsell of naturall Scottish men; but so long as she kept about her strangers, who were a trouble and great burthen to the Countrey, he beleevd no wise man would give either him, or them advise to put themselves in her hands.*

A Proclamation
given forth
by the Queen.

This answer reported to the Queen, because she perceived the arriving of the French souldiers to be generally ill taken, she gave forth a Proclamation; "Where-
"in complaining of the calumnies disperfed against her by wicked people, espec-
"ally that she had broken the appointment made with the Congregation at *Leth*,
" (which she said was onely to entertain division in the Realm) by receiving of
" French forces which they aggredged so far against all reason, it not being an Article
" of the appointment; that albeit for every Frenchman that was in Scotland, there
" were a hundreth at her command, there should not a jot that was promised be bro-
" ken, nor the least alteration be made in any thing, if the Congregation did in
" like manner faithfully keep their part. Therefore willed all good subjects not to
" give eare to such informations, nor suffer themselves to be led thereby from their
" due obedience, assuring them that they should ever finde with her truth in pro-
" mise, and a motherly love towards all loyall subjects.

The Queen
seeketh to dis-
unite the Lords

Besides the Proclamation, whereof this was the substance, she imployed in the Countrey some whom she especially trusted, to inform the Subjects of her good meaning: the principalls were, Mr. James Balfoure Officiall of *Lothian*, Mr. Thomas and Mr. William Scots sons to the Laird of *Balwery*, Sir Robert Carnagy and some others. Neither did she omit to deal with the specials of the Congregation, sending Sir John Bannatyne Justice Clerk to the Lord *Rnithven*, with many liberall promises, if he would leave the faction, and Mr. John Spence of *Condy* to Lord James with a letter bearing this effect; "That having understood the cause of
" his departing from her, to be the love he bare to Religion: Albeit she did mislike
" the same, yet knowing his minde, and the mindes of other Noble men to be so far
" bent that way, as there was no possibility to reclaim them, she had now resolved
" to tolerate their profession, and at their own sights, to grant such liberty as might
" stand with the common policy of the Realm and their Sovereigns honour. As
" for the men of Warre, and fortification at *Leth* so much complained of, she said,
" that some had given her to understand, that it was not the advancement of Re-
" ligion which was sought, but that the same was made a pretext to overthrow the
" authority of his sister, (whereof she beleevd he would never be participant) and
" this was the true cause of inbringing the said forces, whereas if suspicions and jea-
" lousie could be removed, she would be well pleased to dimit them; for it grieved
" her much to see the troubles that were in the Countrey, neither desired she any
" thing more, then a perfect peace and reconciliation, wherein she requested his assis-
" tance, praying him to keep faith and kindness to his sister (who trusted more in
" him then in any man living) and to shew her what he desired for his own particu-
" lar,

The perswa-
sions used.

cular, and she would faithfully promise the same should be performed to his contentment.

An. 1559.

Lord James
his Answer.

By such policies as these she laboured to disunite the Lords; but the love of the cause, and their own safeties, which they apprehended to consist in their fastness and fidelity to others, kept them together. The many breaches they had also found, began in them such a distrust, as nothing, though never so truly meant, could be believed; his answer therefore was, "That in the matter proponed to him he could say nothing by himself, for they had all taken oath to have no private dealing with her, or to make any several addresse for themselves, which for his own part he would keep unviolated, and how soon the Noblemen were convened, he would shew what was written unto him, and leave nothing undone, that served to establish peace in the Realm; provided the glory of God was not interested: neither doubted he if she were found as tractable as by her letter she professed, but she would obtain of the rest that which might in reason content her. Further he said, that he had communicated to her servant some things that misliked him in her proceedings with a true heart, which he wished of God she, and all men knew.

When as Queen Regent perceived these means could not divide them, she gave forth a new Proclamation of this tenor. "That whereas the Duke of *Chattellerauld* had directed his missives unto all the parts of the Realm, informing that the French men lately arrived, were begun to plant in *Leth* for the ruine of the Commonwealth, and that the fortification made there was a purpose devised in *France* to bring the subjects under servitude, which he and his partakers could not patiently endure, she esteems it needful for the manifestation of her proceeding since the last appointment, to make the Declaration following: First, that divers of the Congregation, and those not of the meanest sort, had violated the said appointment in sundry heads, yet she, in hope that they would have returned to their duties, did connive at many things, and took no notice of their doings, till of late (having perceived by their frequent messages to, and from *England*, and by the defection of many great personages from her obedience, that there was some other purpose in hand, then the establishing of Religion) she was forced to have her recourse to the law of nature, and as a bird that is pursued will provide a nest for it self, and for her followers: for which cause she had made choice of the town of *Leth*, as a place most convenient, being her daughters property, whereunto no person could lay claim; a place fortified of old, and such as made best for her safety. Further she said, that it was not religion that they sought, but a meer rebellion they were entred into against their Sovereigns, as appeared by many evidences. First, by the taking of *Broughtie* Castle, and expulping the Keepers thereof by some of the Congregation: Next, by the contempt of the offer made by her self unto the Lord Duke, when he complained of the fortification of *Leth*, that if they would cause amend the wrongs committed against the Lawes of the Realm, she would do what in reason they could require. Thirdly, by the charges he had sent to the free Burghs to chuse such Magistrates as they thought would assist them in their purpose. And fourthly, by the withholding of provision, against all humanity, from her and from her family. All which things to those that had any eyes made more then manifest, that it was no other but a plain usurpation of authority they went about; the particulars whereof she had certainly understood, it being detected unto her, that the Earl of *Arrane* had joyned with the Congregation for no other end, and that the Crown was promised by them unto him: yet she no way doubting of the subjects good affection, and that they would when need should be, stand in defence of their Sovereigns right against all pretenders, thought meet to give them warning of these practices, and prohibit the Lieges to put themselves in Armes, or take part with the Duke, and his assistants, &c.

A Proclamation by the Queen, declaring her purpose in the fortifying of *Leth*.

Monsieur *Pellence* Bishop of *Amiens*, (he was afterwards Archbishop of *Sens*, and created Cardinal) arrived about this time at *Leth*, accompanied with three Doctors of *Sorbon*, Doctor *Furmer*, Doctor *Brochet*, and Doctor *Ferretier*. Monsieur

The Bishop of *Amiens*, and some Doctors of *Sorbon* arrive at *Leth*.

An. 1559.



le Broche a French Knight, gave them the convoy with two thousand foot. The Doctors gave out, that they were come to dispute with the Preachers of the Congregation. The other two pretended a Legation, and sent to some of the Nobility resident at the time in *Edinburgh*, to desire a hearing. It was answered, *That they came not as Ambassadors, but as enemies, to bragge and threaten them with Armes, otherwise they needed not have brought so many armed souldiers in their company. If they meant to treat with weapons in their hands, they would likewise fortify themselves, and make it seen that they were not moved to any thing by compulsion, but guided by reason: nor would they have them think they were so rude and ignorant, as to fall in reasoning with adversaries, that might force them to conditions at their pleasure. Wherefore if they desired peace and quietnesse, as was pretended, it should be fittest to dimit these forain souldiers, and seek to have matters composed according to reason and Justice.* This answer given, there was no more heard of the Legation, nor of the Doctors disputes.

A declaration
published by
the Lords.

The Lords in the mean time published a Declaration answering the other lately made by Queen Regent, wherein first they declared, “ That as they had often
“ complained of the inbringing of *French* souldiers, and the manifold oppressi-
“ ons done by them, so they could not but seek redresse thereof by all means, in re-
“ gard the same tended to an open conquest of the countrey, and the laying upon
“ their necks an intolerable servitude; for whereas the Queen did pretend the de-
“ fection of divers great Personages from her obedience, and the frequent messages
“ to, and from *England*, to be the cause of their inbringing; it is well known that be-
“ fore the arrival of these strangers, there was no such defection, but all lived peace-
“ able and obedient, according to the appointment made by her self. And for the
“ Messages to *England*, time will make manifest that the support craved was to no
“ other end but to maintain Religion, and suppress idolatry; wherein they think
“ they have done nothing against their duties, it being lawful for them where their
“ own power faileth, to seek help and assistance, wheresoever they may have it. Next
“ touching the convenience of *Leth* for a place of fortification; they grant it is a
“ port very fit to receive strangers; but had the Queen intended no more then
“ her own security, *Dumbar*, *Blackness*, and other forts already built, would have
“ better served to that use. And where she called *Leth* her daughters property, they
“ answered that it was notoure, the summes payed to the Laird of *Restalrig* Superi-
“ our of *Leth* were disbursed by the inhabitants, and a large taxation given to her
“ self upon promise, that their town should be erected into a Burgh royal; in place
“ of which, some of the indwellers were expelled from their own houses, others
“ robbed of their substance, and all that chused to remain there, kept in such fear
“ and terrour, as in effect they esteemed nothing their own. Neither was this only
“ done to those that professed themselves reformed, but to all the inhabitants in-
“ differently; which shew clearly, that the *French* did mind nothing lesse, then to
“ subdue the whole nation, if it lay in their power. And where it was said, that the
“ town of *Leth* was fortified of old, the same was never done without the consent of
“ the Nobility and Estates of the Realm, whereas the present fortification was made
“ expressly against their wills signifying to her in writing. Concerning the Earl
“ of *Arrane*, and their purpose to place him in authority, they took God to record,
“ that the same never entered into their hearts; and that neither the said Earl, nor
“ any pertaining unto him, did ever move them in such a matter; which if they had
“ done, they were not so foolish as to promise that, which afterwards they must
“ needs have repented. Then for the particulars adduced to qualifie their intended
“ rebellion, they answered, that the taking of *Broughty* was to prevent the danger
“ that might have ensued, if the *French* should have planted in that place as they
“ had done at *Leth*, whereof the conjectures were not obscure. As to the Dukes
“ misregard of her offer, they did remit the truth of that, to the report of the per-
“ sons imployed by her self. Further it was said, that they had directed charges to
“ the free Burghs to elect Magistrates at their appetites; the truth was, that some
“ towns askt their advice in this businesse, and that the answer given them was, that
“ if they elected such as feared God, and loved equity, and justice, they could not erre
“ in their choice. But that she should object this, seemed strange, seeing it was
“ known

known, that she her self did force the town of *Edinburgh* to take Magistrates of her appointment, and against their own liking. Lastly, for the impeding of necessary provisions to her and her family, they utterly denied the same; only they had taken order to stay the furnishing of strangers (that oppressed the countrey) with victuals, and did forthink the same was not sooner and more strictly done: concluding, that seeing nature did oblige them to love their countrey, and the oath they had given to be true to the Commonwealth, forced them to hazard whatsoever God had given them in defence thereof; they being Counsellors of the Realm by birth, could not forbear to seek that by force of Arms, which hitherto had been denied them. Therefore required all natural *Scottish* men to judge between the Queen and them, and not to abstract their just and dutiful support from their native countrey in so needful a time, assuring them who did otherwise, that they should be esteemed betrayers of the Kingdome into the hands of strangers.

An. 1559.



This Declaration made, the Lords assembling their forces, came to *Edinburgh* the eighteenth of *October*, and on the same day Queen Regent by the counsel of the *French* men entered into *Leth*, with the Bishops of *S. Andrewes*, *Glasgow*, *Dunkeld*, the Lord *Seaton* and some others. The day following they sent a letter to the Queen declaring, how they were convened to see a redresse made of the great disorders that were in the Realm, especially to have the town of *Leth* made patent for the free traffique of the subjects, and desiring her to command all the strangers and mercenary souldiers to depart forth of the same, and to cause the forts to be demolished which were newly erected; otherwise they would take it for an argument, that her meaning was to bring the Kingdome into servitude; against which mischief they would provide by the best means they could. The messenger who carried this letter, after he had been detained a whole day, was dismissed without answer.

The Lords come to *Edinburgh* and write unto the Queen.

Mean while the rumour increasing of the Duke his usurpation of the authority, he thought it necessary to make a publick purgation, as he did at the Mercat Crosse of *Edinburgh*, by sound of Trumper, protesting both for himself and for his sonne the Earl of *Arrane*, that none of them did seek any preheminance, nor meant to usurp the authority Royal, but that they were convened with the rest of the Nobility to maintain the cause of Religion, and liberty of their native countrey invaded by strangers; which he desired all men to believe, and not to be carried with the false and malicious reports of enemies, devised onely to withdraw the hearts of natural *Scottish* men, from the succour they owed to their oppressed countrey.

The Duke purgeth himself and his son of any aspiring.

Two dayes after *Robert Forman*, Lion Herald, was directed by Queen Regent to the Lords with this writing. *After commendations we received your letter of the date at Edinburgh the 19. of this instant, which to us appeareth rather to have come from a Prince to his subjects, then from subjects to those that bear the authority; for answer whereof we have sent unto you this bearer the Lion Herald King of Armes sufficiently instructed with our mind, to whom you shall give credit. At Leth the 21. October. 1559.*

The Herald directed to the Lords.

The credit, as the Herald related the same, was this; First, he shewed the Queen did think it strange, there should be any other to command within the Realm besides her daughter and her husband: in former times had been given just causes of suspicion, so now she perceived clearly by the contents of the last letters, that they did not acknowledge any authority superiour to themselves in the Kingdome. Next he was desired to ask the Duke of *Chattellerault* how his doings did agree with his words and writing, whereby he promised not only to obey the King himself, but also to keep his sonne the Earle of *Arrane* from meddling with the present broyles and tumults of the countrey. Thirdly, in answer to their letters, he was willed to say, that it never came in her minde to overthrow the liberty and lawes of the Realme, much lesse to make a conquest of it; for to whom should she seek the same, it being her daughters by right, and she already possessed thereof? nor could they think her so unnatural, as to bereave her own childe of the Crown, and acquire it to another. As to the fortification of *Leth*, and entertaining of strangers, he was bidden ask if any thing in that kind was by her attempted before they did shew themselves manifest contemners of the Authority, by surprising Townes, and making bonds both amongst themselves, and with the ancient enemies of the King-

The credit given to the Herald by the Queen.

An. 1559.



dome; and to omit other things, *Could they think it lawful to them to keep an Army at Edinburgh, for pursuing her who was their Regent, and her Council, and that it should not be lawful to her to entertain a few companies at Leth for her own safety? Belike they would have her to flee from place to place, as hitherto she hath done, declining their fury. In their whole letters was there a word sounding to obedience, any overture of peace, or so much as an intimation of willingnesse in them to have debates composed, and all things reduced to their former estate? They might cover it as they pleased with the pretexs of the Commonwealth, and their care of the good and quiet thereof, but nothing lesse was meant by them. For if they desired peace, she hath often shewed the way unto it. Neither could they be ignorant, that the French souldiers would long before that time have been recalled by the command of their King, if they themselves had not been a let and hinderance thereto. Further he was required to say, that if as yet they would live obedient to their Sovereigns, she for her own part would refuse no meanes of concord, nor should she omit any thing that made for the good of the Commonwealth. Neither was this her mind alone, but the mind likewise of their Sovereigns, who had sent two chief men, one of the Church estate, and the other an honourable Knight, to signifie so much unto them, whom they so farre despised, as they would not vouchsafe them either answer, or audience. Lastly, the said Herald, as he was enjoined, did charge the Duke, the Noblemen and others their assisters and partakers, to depart forth of the Town of Edinburgh, and dissolve their forces under the pain of lese Majestie.*

The Lords deliberate upon discharging the Queen of her Regency.

The Herald having in this sort delivered his credit, the Lords convened in Councell with a number of Barons and Burgeesses, whom they called to assist. In this meeting the Lord *Ruthven* presiding, declared how the Queen had refused their Petitions, and that there was no expectation of the yeelding up the Town of *Leth*, or dimitting the *French* companies by a peaceable treaty, so as now they were to think of the next course. The reverence of authority, (which as yet was in the person of Queen Regent) deterred many at first from uttering their mindes, yet after some short silence, they began to speak of discharging the Queen of her Regencie. The motion seemed dangerous to some, as wanting example, at least for a long time: *The like, they said, had been sometimes done, but it was alwayes carried under the shew of authority; they in whose hands the King was at that time, taking upon them in his name to suspend the present Government. But that the Nobility and Estates without, and against the Princes consent, should assume that power to themselves, was never heard, and would be thought strange. Others held, that she being a Regent only, might very well be prohibited to use the name of the King and Queen for authorising of her proceedings, especially when they were known to be hurtful and pernicious to the whole Kingdomes.* In this variation of judgements it was thought meet to take the opinion of the Preachers, and to that effect Mr. *John Willock*, and *John Knox* being called, they delivered their mindes one after another in this sort. Mr. *John Willock* first speaking, said,

The opinion of the Preachers required.

Master Willock his opinion.

*That albeit Magistracie be Gods Orainance, and that they who bear rule have their authority from him, yet their power is not so largely extended, but that the same is bounded, and limited by God in his word. And albeit God had appointed Magistrates his Lieutenants on earth, honouring them with his own title, and calling them Gods, yet did he never so establishe any, but for just causes they might be deprived; for even as subjects, said he, are commanded to obey their Magistrates, so Magistrates have direction given them for their behaviour towards those they rule; and God in his word hath defined the duties both of the one, and the other. In deposing Princes, and those that have borne authority, God did not alwayes use his immediate power, but sometimes he used other means, such as in his wisdom he thought good. As by *Asa* he removed *Maacha* his own Mother from the honour and authority which before she did exerce: By *Jehu* he destroyed *Joram* and the whole posterity of *Achab*, and by divers others he deposed from the Government, those whom he established before by his own word. Of these ensamples he inferred, That since Queen Regent had denied her chief duty to the subjects of the Realme, which was to minister Justice indifferently, to preserve them from the invasion of strangers, and to suffer the word of God to be freely preached: seeing also she was a maintainer of superstition, and despised the counsell of the Nobility, he did think they might justly deprive her from all regiment and authority over them.*

John

John Knox being next desired to speak, after he had approved all which his brother had said, did adde this more, *That the iniquity of the Queen Regent ought not to withdraw their hearts from the obedience due to their Sovereigns; nor did he wish any such sentence to be pronounced against her, but that when she should change her course, and submit her self to good counsel, there should be place left unto her of regress to the same honours, from which for just causes she ought now to be deprived.*

An. 1559.
John Knox his sentence.

It had been a better, and wiser part in these Preachers, to have excused themselves from giving any opinion in these matters, for they might be sure to have it cast in their teeth, to the scandal of their profession. Neither was the opinion they gave sound in it self, nor had it any warrant in the word of God; for howbeit the power of the Magistrates be limited, and their office prescribed by God, and that they may likewise fall into great offences, yet it is no where permitted to subjects to call their Princes in question, or to make insurrections against them, God having reserved the punishment of Princes to himself.

The Preachers ought not to have medled in that business.

And for the ensamples they alleadged, they are nothing to the purpose; for *Asa* was King of *Judah*, and in possession of the Crown, and *Maacha*, though in nature his Mother, was by condition his subject, and might lawfully be discharged from the authority (which by his favour she enjoyed) after she fell to the erecting and worshipping of Idols. As to the ensample of *Jehu*, it is nothing better, seeing what he did was by Gods expresse Commandment, who giveth and taketh away Kingdomes as he pleaseth; but no man hath this power, and they that presume otherwise, go expressly against the Commandment of God, and the duty of Christian profession.

The examples they brought, did not warrant their opinion.

Alwayes the Lords and others then assembled, as having now their determination sufficiently warranted, fell to gather the voices of such as were present, who all uniformly consented to her deprivation. So by an Act, and Decree of Councell, (wherein were reckoned out all the enormities alledged to have been committed by Queen Regent; namely, the pursuing of the Barons and Burgeses of the Realm with open hostility, no proces nor order of law being first used; nor they called and convict of any crime in lawful judgement; The thrusting in of Magistrates upon people within Burghes against their liking, and without any order of election; The in-bringing of forainers into the Realm, without the advice and counsel of the Nobility; The laying of Garisons in some Towns to the oppression of peaceable subjects; The coyning of base money to the impoverishing of the country; The placing of a stranger in one of the greatest offices within the Realm, as the office of Chancellary, which she had conferred to Monsieur *Rubie* a French man; The sending of the great Seal forth of the Realm, against the advice of the Council; The altering of the Lawes and Customes of the Realm, especially in graces and pardons granted to the Lieges, and the obstinate refusing of the Nobility and Barons their request, when they sought redress of these evils) they in name and by the authority of their Sovereigns did suspend the Commission granted to Queen Regent, discharging her of all authority untill the next Parliament that should be called by their advice, and consent. Prohibiting likewise the officers and others serving her, under colour of the said authority, to exerce their offices from henceforth, and to coyn either gold or silver without expresse consent of the Council and Nobility, conform to the lawes of the Realm. This Act ordained to be published in all the head Burghes of the Kingdom, was subscribed in this manner; *By us the Nobility and Commons of the Protestants of the Church of Scotland.*

Act depriving Queen Regent of her government.

As soon as this Act was by sound of Trumpet proclaimed, the Herald whom they had detained two dayes, was dismissed with an answer conceived in this form: "By the letters and instructions you have sent by the Herald unto us, we take up
"how ill you are set against God his truth, the liberty of this our native countrey,
"and the common good of all. To defend these, as in duty we are bound, we in
"the name of our Sovereign Lord and Lady suspend your Commission, and all
"administration publick which you thereby may pretend, as being assured that
"your proceedings are direct contrary to their mindes, which we know are inclined to the weal and common good of the countrey. And seeing you refuse us

The Herald dimitted, and the Act intimated to the Queen by letters from the Lords.

An. 1559.

“ who are natural born subjects of the Realm to be your Counsellors, we will
 “ no longer acknowledge you for our Regent, and lawful Magistrate, consider-
 “ ing the authority (if any you have committed unto you by our Sovereignes) is
 “ for most just and weighty reasons suspended by us in their name, whose Counsel-
 “ lers we are by birth, in these matters chiefly, that concern the safety of the Com-
 “ monwealth.

“ And howbeit we have determined, with the hazard of our lives to set that
 “ Town at liberty, wherein you have most unjustly planted your mercenary soul-
 “ diers and strangers, yet for the reverence we bear unto you, as being the mother
 “ of our Queen, we earnestly beseech you to depart thence at this time, when we
 “ constrained by publick necessity are by force of Armes to recover it. We further
 “ request you to bring forth of the Town with your self, all that carry themselves
 “ as Ambassadors, and are come unto the countrey, either for taking up of contro-
 “ versies, or assisting the government of publick affaires, within the space of twen-
 “ ty four houres, and to cause the Captains, Lieutenants, and souldiers (whose
 “ blood we would gladly spare because of the old amity and friendship betwixt us
 “ and the Realm of *France*, which the marriage of our Sovereign Lady to that King,
 “ ought rather to encrease then diminish) to remove themselves within the same
 “ space. This letter was subscribed, *By all the Nobility and Barons present, the twen-
 ty third of October, 1559.*

The town of
Leth summo-
 ned.

The 25. day of the same moneth was the Town summoned, and all the *Scots* and *French* men, of whatsoever state and degree, commanded to leave the same within the space of 12. houres. This denied, and defiance given on both sides, there followed somelight skirmishings, without any great slaughter. The Lords had resolved to enter the Town by scalade, and were preparing ladders for that use, which being dressed in *S. Giles Church*, did impede the ordinary meetings to Sermon and Prayer, to the great offence to the Preachers, who in their Sermons did sharply reprove that intermission of religious exercises, foretelling that *the enterprise could have no good successe, which brought with it in the beginning such a neglect of God his service.* And so indeed it proved, for upon the sudden they became so terrified, as not only was that purpose of the scalade broken, but very nigh they were to have utterly forsaken the cause. The Duke grew fearful by the falling away of some to the Queen, the souldiers mutinied in default of their pay; they found their most secret counsels also disclosed, and had lately intercepted letters with a servant of *James Balfour*, as he was going to *Leth*, giving intelligence of all their purposes. These things with some others more, did cast them in a great diffidence one of another.

Moneys fail-
 ing, they sent
 to borrow from
England.

But such as were of better courage, taking counsel how to remedy those evils, made it their first care to content the souldiers. And because there was no way to do this, but by present money, it was devised that a collection should be made amongst the Lords and Barons; by whom some being unprovided, others niggardly disposed, the summe could not be made up which was required. Thereupon it was agreed that every Nobleman should give his silver plate to be coyned for supply of the present necessity. But when that came to be done, the irons and instruments of the *Minthouse* could not be found. This failing, their only hope of relief was from *England*, and that they considered could not come in due time; whereupon they resolved to use their private credit with Sir *Ralph Sadler*, and Sir *James Crofts* (who had the charge of the Town of *Barnwick*) and borrow of them some moneys.

The Laird of
Ormston surpris-
 ed by *Bothwell*,
 and spoiled of
 his money.

In this businesse Sir *John Cockburn* of *Ormston* was employed, whose journey was not so closely carried, but the Queen had notice both of it and his errand. Thereupon she dealeth with the Earl of *Bothwell* to lie in *Ormston* his way, and surprise him with the money at his return. The Earl had but a few dayes before sworn solemnly to be no enemy to the Lords, and had given hopes to joyn with them, so as no danger was suspected from him: yet not regarding his oath, he came upon the Gentleman at unawares, and after some wounds given him took him prisoner, and robbed him of four thousand Crowns, which he had received in loan. The ru-

mour

mour hereof coming to the Lords, the Earl of *Arrane*, and Lord *James* taking some companies of horse with them, made towards *Creichton*, whither *Bothwel* (as they were advertised) was gone. But finding that he was escap'd they seised upon the house, and gave it in keeping to Captain *Forbes*.

An. 1559.

The house of *Creichton* taken.The Provost of *Dundy* put to flight by the souldiers at *Leth*.

The same day that this happened, the Provost of *Dundy* with his Townesmen, and a few mercenary souldiers, went down towards *Leth* carrying with them some pieces of Artillery, which he planted on a hill near unto the Town. The *French* had warning, that most of the horsemen were gone about other businesse, and knowing the footmen to be few, made a salley upon them with some companies. The Townesmen of *Dundy* sustained the fight for a while, trusting to be seconded by the souldiers, but they turned backs in the very beginning of the conflict, the townesmen were forced to retire, keeping still their ranks, till a cry was raised that the *French* were entring by *Leth* Winde, to cut them off from the Town. This caused such a perturbation, as every man took the way he held best for his safety; and in the flight (as commonly it falleth) one hindering another, many were overthrown, some ten souldiers were killed, Captain *Mowak* taken prisoner, and Mr. *Charles Geddes* servant to the Master of *Maxwell*. The flight held to the middest of the Canon gate, where the Earl of *Argyle*, and Lord *Robert* Abbot of *Halirudhouse* turned the Chase, and pursuing the *French*, made them flie as fast as they followed. This little advantage of the *French* made *Bothwel* so insolent, as he simply refused to restore the moneys he had taken. And thus all hopes of money failing, and the souldiers refusing to serve, some not of the meanest sort, stole away secretly, the few that remained were distracted in opinions among themselves, and grew doubtful what to do.

The fifth of *November* upon advertisement that the *French* were issued forth of *Leth*, to intercept the provision that was carrying to *Edinburgh*, the Earle of *Arrane*, and Lord *James*, with their domesticks, went out to defend the *Careers*, and were followed with divers of the Citizens, these giving the onset upon the *French* with more courage then foresight, advanced so farre, as they were almost encompassed by the enemy, and cut off from the Town. For the *French* had divided their companies in two: one part took the way directly from *Leth* to *Halirudhouse*, the other marched somewhat more Eastward, and nearer the Sea. The Lords who were gone as farre as *Restalrig*, beholding the *French* to march towards *Edinburgh*, returned with expedition, fearing the case of the Citizens, and that they themselves should be cut off; which in all appearance had been done, if the Laird of *Grange* and *Alexander Whitlaw* with a few horsemen had not kept them in skirmish for a little time. The other *French* companies that came by *Restalrig* beholding the Lords retire, made after them, and pursued so hotly, as the Earle of *Arrane*, and Lord *James*, were forced to quit their horses for safety of the foot, who were in great disorder. Captain *Alexander Halliberton*, a man of good spirit, and forward in the cause of Religion, staying behinde to hold off the *French*, received divers wounds, whereof the same night he died. In this conflict there fell some 25. or 30. men. The Master of *Buchan*, with the Laids of *Pimilly*, *Fairnay*, and some others of smaller note were taken prisoners.

A conflict betwixt the Scots and *French*.

A little before this time *William Maitland* of *Lethington* Secretary to the Queen, perceiving that he was hated of the *French* for the freedom he used in his counsel, did secretly withdraw himself, and joyned with the Lords. He was earnest to have them abide together, laying before them the dangers, that might ensue upon their dissolving, but few or none consenting, conclusion was taken to leave the Town, and after midnight to depart towards *Striveling*.

Secretary *Lethington* forsaketh the Queen Regent.

The day after the Lords departing, the *French* went up to *Edinburgh*, and took possession of the Town. All that professed the Religion, were compelled to flie, and seek their refuge in other places. Mr. *Willock* the Minister went unto *England*, and immediately was the *Romane* service restored. The Church of *S. Giles* (as if infected with some contagion by the Sermons preached therein) was of new hallowed by the Bishop of *Amiens*, with a number of Ceremonies; and such triumphing was amongst the Popish sort, as they thought the game to be theirs. The Queen

The Lords leave *Edinburgh*, and the *French* possesse the Town.

sent

An. 1559.



The Queen
sendeth for
new forces
from France.

sent advertisement to *France*, requiring new forces with expedition, to make the victory absolute. Whereupon the Marquess *D' Elbeuf*, and Count *Martiques* a young Nobleman were directed with some companies both of foot and horse; but they imbarcking at *Deep* were dispersed by tempest, 18. Ensignes cast away upon the coast of *Holland*, and the rest driven back into *France*. A while after the Marquess putting to Sea arrived at *Leth* about the beginning of the spring, with a thousand foot, and some few horsemen.

The Lords
send to Eng-
land for a sup-
ply.

The Lords at their coming to *Striveling* were in great heaviness, and doubtful what course to take, till encouraged by a Sermon that *John Knox* made unto them they gathered new spirits, resolving to send unto *England* for supply, and till answer should come to divide their companies. The Duke and Earl of *Glencarne*, with the Lords *Boyde*, *Ochiltrey*, and their friends were appointed to remain at *Glasgow*; the Earles of *Arrane* and *Rothes*, Lord *James*, the Master of *Lindesay*, and their friendship to stay together in *Fife*; and for making intelligence one to the other, Mr. *Henry Balnaves* was ordained to attend the Noblemen at *Glasgow*, and *John Knox* these of *Fife*.

Altars and
Images demo-
lished at *Glas-*
gow.

The Bishop re-
covereth the
Castle.

The Duke at his coming to *Glasgow* caused all the Images and Altars to be pulled down, and took the Castle pertaining to the Bishop. Upon the report of this, the Bishop taking with him a number of *French* men, and assisted by the Lords *Semple*, *Seaton*, and *Rosse*, marched hastily thither, recovered the Castle, (for the Lords advertised of their coming, had left the Town) and staying there one onely night, returned to *Edinburgh*. In *Fife* there was more quietness, all things continuing peaceable, till a little before *Christmas*, at which time answer was returned from *England*, and hopes given of support from thence.

Commissions
sent unto Eng-
land.

William Maitland younger of *Lethington*, and *Robert Melvil* brother of the Laird of *Raith*, had been intrusted with that businesse. They at their coming to the Court of *England*, did inform the Queen of the troubles of the countrey, the difficulties whereunto it was reduced, and the danger that *England* should fall into, if *Scotland* were once subdued by the *French*, entreating her aid and assistance for their expulsion. She remitting the matter to the Council, it was long debated, whether or no any supply should be granted: some maintaining that it was a thing of ill example to assist the subjects of another Prince in their Rebellion, and that the same might draw upon themselves a dangerous warre. Others holding that they were obliged in conscience to defend their neighbours from the oppression of strangers; and that to suffer the *French*, who were naturally enemies to the *English*, fortifie themselves in *Scotland*, would prove a hurtful and preposterous course. In end the Queen enclining that way, it was concluded that a supply should be granted, and the Duke of *Norfolk* sent to *Berwick* to treat of the conditions with the Commissioners of the *Scottish* Nobility.

A supply gran-
ted, and the
Duke of *Nor-*
folk sent to
treat of the
conditions.

The *French* re-
solve to make
an end of the
warre before
the *English* be
prepared.

The *French* advertised of this conclusion taken, resolved to make an end of the warre before the *English* support could be in readinesse, and to begin with the Lords residing at *Fife*. Thereupon taking their journey to *Striveling*, they spoyled *Lindlithgow* in the way, with the lands of *Kinneil*, and all that they understood belonged to the Duke in those parts. The like pillage they made in *Striveling*, and passing the Bridge they kept the side of the River, robbing all the villages, and Coast Towns which were in their way. It was their purpose to have kept the coast still, till they came to *S. Andrews*, and then to have fortified the Castle, and City: but the Earl of *Arrane* and Lord *James* hearing that they were past *Striveling*, sent some forces under the charge of the Lord *Ruthven*, a Nobleman of good experience and courage, to withstand their attempts. In his company was the Earl of *Sutherland*, who was come to the Lords some dayes before, directed as he gave out by the Earl of *Huntley* to make offer of his assistance; howbeit his principal Commission was unto the Queen Regent, as afterwards was knowne.

An encounter
with the *French*
at *Pitticurre*.

The first encounter with the *French* was at *Pitticurre*, (so they call the Haven on the West of *Kingorne*) by occasion of some small vessels that were espied to come from *Leth*, which as the Lord *Ruthven* did stop from landing, the *French* that were further advanced then he supposed, did charge him on the back, and forced him to flie,

flie, fix or seven souldiers were killed in this conflict, and a *Dutchman* called *Paul Lambird*, with a *French* boy taken and hanged upon the Steeple of *Kingarne*. The Earl of *Sutherland* wounded a little in the Arm with the shot of an Harquebuse, returned the same day to *Couper*. An. 1559.

The Lords, to stay the further progress of the *French*, drew all the forces they could make in these parts to the Town of *Dysert*, where they remained 20. dayes together, keeping the *French* souldiers (that were numbred to be 4000.) in such work that the countrey was generally saved from spoile, and the hurt and damage that was done, falling for the greatest part upon their friends and confederates; For of all that were professed enemies to the *French*, the Laird of *Grange* onely had his house blown up with Gunpowder; whereas the Laird of *Weimes*, *Seasfield*, *Balmaito*, *Balwery*, *Balgony*, *Dury* and others of the *French* faction, were forced to furnish them with cornes, cattel, and what else they stood in need of; or if the souldiers lacked any thing, the readiest goods upon their ground were taken to provide them. Hereof divers complaints being made to the *French* Captains, the poor owners were scornfully answered, that their goods were of the Congregation; and if they made faith that the same were their own proper goods, they were railed upon, and called cowards and unworthy niggards, that made more accompt of their goods then of their friends. Such as professed Religion, and expected the worst, putting their goods out of the way, or standing to their defence, were in a much better condition; and *Grange* who had his house cast down as I have said, avenged himselfe sufficiently a few dayes after.

The Lords came to *Dysert* to stay the progress of the *French*.

For knowing that the *French* used to send forth some souldiers into the countrey every day to bring in provision, he laid an Ambush near to *Kingorne*, and as Captain *le Batu* with an hundred souldiers came forth, after they were passed a mile from the town, he brake upon them with a number that he had selected to that purpose; the Captain with his souldiers retiring to a little countrey house, defended themselves awhile with their shot, and dangerously wounded *David Kircaldy* brother to the Laird of *Grange*, and a Gentleman called *Robert Hamilton*, who were both at first supposed to be slain. The *French* had the advantage, for they were within ditches, and *le Batu* having taken a little house, kept the gate with some Harquebuses. *Grange* and his company carried spears onely, yet in that heat of valour, which ordinarily at such occasions he shewed, he rushed in upon the *French*, and was followed by the Master of *Lindesay*, and others whom his example did animate. The Captain refusing to render himself with fifty of his company was slain, the rest were all taken, and sent prisoners to *Dundy*.

The Laird of *Grange* defeats a company of the *French*.

By this time the Lords that remained in the West parts, being advertised of the answer returned from *England*, and how the Duke of *Norfolke* was coming to *Berwick* to attend the *Scottish* Commissioners, that should be chosen to treat of the conditions of the supply, they sent of their number some to assist the Noblemen of *Fife* in making that choice. The meeting was at *Couper*, where by common consent choice was made of Lord *James*, the Lord *Ruthven*, the Masters of *Maxwel* and *Lindesay*, the Laird *Lethington* younger, and Laird of *Pittarrow*, and Mr. *Henry Balnaves*; and power given them by the Duke and remnant Lords to contract and agree with the Queen of *England* and her Lieutenant, upon all such things as might serve for the good and conjunction of the two Kingdomes, and particularly for expelling the *French* souldiers out of the Realm of *Scotland*. These taking journey by Sea came about the middest of *February* to *Berwick*, and after some short treaty a contract was formed betwixt *Thomas* Duke of *Norfolk*, Earl *Marshall* of *England*, and Lieutenant to the Queens Majesty in the North, in name and behalf of her Highness on the one part, and Lord *James Stewart*, *Patrick* Lord *Ruthven*, Sir *John Maxwel* of *Tareglife* Knight, *William Maitland* of *Lethington* younger, *John Wishart* of *Pittarrow*, and Mr. *Henry Balnaves* of *Halbil*, in name and behalfe of the noble and mighty Prince *James* Duke of *Chattellerault*, second person of the Realm of *Scotland*, and the remnant Lords joyned with him for maintenance and defence of the ancient Rights and liberties of the countrey on the other part, to the effect following.

Commissioners sent to treat with *Norfolk*.

“ That

An. 1559.

The contract
with Engl. and.

1. "That the Queens Majesty having sufficiently understood as well by information from the Nobility of *Scotland*, as by the proceedings of the *French*, that they did intend to conquer the Realm of *Scotland*, suppress the Nobility thereof, and unite the same to the Crown of *France*, perpetually contrary to the Lawes of the same Realm, and the pactions, oathes, and promises of *France*; and being most humbly and earnestly requested by the said Nobility, for and in the name of the whole Realm, to receive the Kingdom of *Scotland*, the Duke of *Chattellerault* declared heir to the Crown thereof, with the Nobility and other subjects into her protection and maintenance, only for preservation of the *Scots* in their own freedoms and liberties, during the time that the marriage did continue betwixt the Queen of *Scots* and the *French* King, and a year after, should employ her best means for and in their defence.

2. "That her Majesty should send with all convenient diligence into *Scotland* a sufficient aid of men of warre, horse and foot, with artillery, munition, and other instruments of warre, as well by sea as by land, to joyn with the forces of *Scotland*, for the expelling the *French* forces presently within that Realm, and stopping so farre as may be all others to enter therein in time coming.

3. "That her Majesty should continue her aid to the Nobility and subjects of *Scotland*, untill such time as the *French* (enemies to the said Realm) should be utterly expelled thence, and should transact, agree, nor conclude any league with the *French*, except the *Scots* and *French* should be also agreed, and the Realm of *Scotland* left in freedom; neither should she leave the maintenance of the said Nobility and other subjects, whereby they might fall as a prey into their enemies hands, so long as they did acknowledge their Sovereign Lady and Queen, and should endeavour themselves to maintain their own liberty, and the estate of the Crown of *Scotland*.

4. "If in case any Forts or Strengths within the Realm shall be recovered out of the hands of the *French* by her Majesties aid, the same should be immediately demolished, or delivered to the Duke of *Chattellerault*, and his partakers at their election; neither should the power of *England* fortifie within the ground of *Scotland*, but by the advice of the said Duke, Nobility, and Estates of *Scotland*.

5. "That the said Duke and Nobility, as well such as be already joyned, as such as hereafter shall joyn with him for defence of the liberty of the Realm, should to the uttermost of their power aid and support her Majesties Army against the *French* and their assisters with horse and foot, and all manner of other aid they possibly can make, and shall provide victuals to the Army by land and sea, and continue so doing, during the time her Majesties Army shall remain in *Scotland*.

6. "That they should be enemies to all such *Scottish* men and *French*, as shall in any wayes shew themselves enemies to the Realm of *England* for the aiding and supporting of the said Duke and Nobility, and should never assent nor permit the Realm of *Scotland* to be conquered or otherwise united to the Crown of *France*, then it is at the present, only by the marriage of the Queen their Sovereign to the *French* King, and as the Lawes and liberties of the Realm do allow.

7. "That if it should happen the *French* men at any time thereafter to invade or cause the Realm of *England* to be invaded, they should furnish the number of 1000. horsemen and 2000. footmen at the least, or such part of either of them as should be required, at the charge of the Queen of *England*, and should conduct the same to any part of the Realm of *England*, that should be appointed, upon the charges alwayes of the Queen of *England*. And in case the invasion should be made on the North part of *England*, either upon the North of the water of *Tyne* towards *Scotland*, or against *Berwick*, on the North side of the water of *Twede*, they should convene and gather their whole forces upon their own charges, and should joyn with the *English* power, and continue in an earnest pursuit of the quarrel of *England*, during the space of 30. dayes, or so much longer, as they are accustomed to abide in the fields for defence of *Scotland*.

8. "That the Earl of *Argyle*, Lord Justice of *Scotland*, being presently joyned
"with

“with the said Duke, should employ his force, and good will, when he should be
 “required by the Queen of *England* for reducing the North parts of *Ireland* to
 “her obedience conform to a mutual contract, which should be made betwixt her
 “Majesties Deputy of *Ireland* for the time and the said Earl, wherein should be
 “expressed what each of them should do for support of others, in case either of them
 “had businesse with *Macc-o-neale*, or any other of the Isles of *Scotland*, or Realm
 “of *Ireland*.

An. 1559.



9. “That the *Scots* for performance and sure keeping of their part of this con-
 “tract, should deliver such pledges to the Duke of *Norfolk* before the entrie of her
 “Majesties Army in *Scottish* ground, as the said Duke did presently name, who
 “should remain in *England* for the space of six moneths, and be exchanged by deli-
 “verance of new hostages, for six moneths to six moneths, or four moneths to
 “four moneths, at the pleasure of *Scotland*; the pledges alwayes being of the like
 “or as good condition as the former, and the lawful sonnes, brethren, or heirs
 “of some of the Earls or Barons of the Parliament: and the time of the continuance
 “of the said hostages should be during the marriage of the Queen of *Scots* to the
 “*French* King, and a year after the dissolution of the same, till further order may
 “be had betwixt both the Realms for peace and concord.

10. “That the Duke and Nobility joyned with him being Earles and Barons
 “of Parliament, should subscribe and seale these Articles within the space of twen-
 “ty or thirty dayes at the furthest, after the delivering of the said hostages; and
 “should procure, and perswade all others of the Nobility that should joyn them-
 “selves thereafter with the said Duke for the cause above specified, to subscribe
 “and seal the same Articles within the space of twenty dayes after their conjun-
 “ction, upon requisition made by them of *England*.

11. “That the said Duke and Nobility joyned with him, certainly understand-
 “ing that the Queens Majesty of *England* was moved to grant the present support
 “only upon respect of Princely honour and neighbourhood, for defence of the
 “freedom of *Scotland* from conquest, and not of any sinister intent; did by these
 “presents testifie and declare that neither they nor any of them do mean by this
 “contract to withdraw their due obedience from their Sovereign Lady the Queen,
 “or yet to withstand the *French* King her husband, in any lawful thing which tend-
 “eth not to the subversion of the just and ancient liberties of *Scotland*, for the
 “preservation whereof they acknowledge themselves bound to spend their goods,
 “lands, and lives.

This contract of the date at *Berwick* the 27. of *February* 1559. was confirmed by
 the Queen of *England*, and a Patent thereof delivered under the great Seal of *Eng-
 land* to the Duke and Nobility: the Lords of *Scotland* did in like manner ratifie the
 same by their subscriptions, at the Camp before *Leth* the tenth of *May* following.

How soon the *French* heard that the Lords were removed from *Dysert*, they
 marched forward according to their first purpose towards *S. Andrews*, and kept the
 Coast, partly because of the ships which carried their victuals, partly by reason of
 a great snow which then was fallen, and made the nearest wayes unpassable. After
 that they had crossed the water of *Leven*, and were come unto *Kincraige*, they espied
 a fleet of ships, bearing up the Firth which they did apprehend to be a supply sent
 unto them; but when they saw them fall upon the ships that carried their victuals
 they became doubtful, and shortly after, were assured by a boat which had spoken
 them, that it was an *English* Navy sent to the support of the Congregation, and
 that a land Army was also prepared to come into *Scotland*. These newes troubled
 them not a little, and made them doubtful what course to take; for to rerurn by
Striveling was a long way, and to transport the souldiers to the other coast, there
 were no vessels, so as they feared to be kept from joyning with their fellows at *Leth*.
 Their resolution therefore was to make the longer journeys, as they did; and
 setting to the way the same night, they came on the third day to *Leth*, having lost
 divers of their company by the way.

The *French*
 souldiers upon
 sight of the
 Navy return
 to *Leth*.

Fife thus delivered from their oppressions, publick thanks were given to God in
 the Church of *S. Andrews*. This done, the Lords took purpose to besiege the houses
 of

Divers houses
 in *Fife* taken
 by the Lords.

An. 1560.

The Cathedral of *Aberdene* saved by the Earl of *Huntly*.

of *Weimes*, *Seafield*, *Ragome* and *Dury*, which were taken without resistance, and the Lords thereof made prisoners; but shortly after they were dimitted, and the houses restored upon condition, not to assist the *French* any more. The Earl of *Huntly* at the same time being advertised that the Barons of *Mernis* were come to *Aberdene* to make reformation in that City, hastened thither to withstand their proceedings, and by his coming saved the Cathedral Church; the houses of the *Dominicans*, *Carmelites*, and other Religions being already demolished, and cast down. Yet when he heard that the *English* forces were advancing, he sent to the Lords, and made offer to joyn with them. A meeting to this effect was appointed at *Perth*, whither he came, and staying some three dayes, departed homewards upon promise to return unto the Army in the beginning of *April*; for Proclamations were gone through the countrey, charging all the subjects to meet in Armes at *Linlithgow* the last of *March*, and from thence to passe forwards in pursuit of the *French* that had fortified at *Leith*.

Pledges sent to the Admiral of *England*.

For fulfilling the Article whereby the Lords were tied to send pledges unto *England*, *Colin Campbel* Cousen to the Earl of *Argyle*, *Robert Douglas* brother to the Laird of *Lochleven*, and *Ruthven* son to the Lord *Ruthven*, were delivered to the *English* Admiral, and by sea conveyed to the Town of *Newcastle*.

The *English* forces enter into *Scotland*.

After which, the *English* forces consisting of 2000. horse, and six thousand foot, entered into *Scotland*, conducted by the Lord *Gray*, under whom commanded the Lord *Scroop*, Sir *James Crofts*, Sir *Henry Percie*, and Sir *Francis Lake*. The *Scottish* Army joyned with them at *Preston* the fourth of *April*, whereof the principal leaders were, the Duke of *Chattellerault*, the Earles of *Argyle*, *Glencarn*, and *Menteith*, Lord *James*, the Lords *Ruthven*, *Boyd*, and *Ochiltree*, who were assisted by all the Barons and Gentlemen professing Religion in *Lothian*, *Fife*, *Angus*, *Mernis*, and the West countries. The same day the Queen Regent removed her family to the Castle of *Edinburgh*, and was received by the Lord *Aresken*, a Nobleman of approved honesty and wisdom; he was not ignorant of the Queens intentions, and the desire she had to have the *French* Masters of that strength; yet he would not at that time deny her entrie, but used such circumspection, as she and the house both were still in his power.

Queen Regent entereth into the Castle of *Edinburgh*.

A letter from the Lords to the Queen Regent.

The Noblemen resolving to fall presently to work, did yet think to move the Queen of new for dismissing the *French* companies, and to that effect they directed a letter of this tenor. *Madame, We have often before this time by letters and messages been instant with you to remove the French souldiers out of the Realm, who now the space of a year and more have oppressed the poor people with evils intolerable, and threaten to bring this Kingdom under a miserable servitude. But seeing we could not prevaile by our lawfull requests, we were forced to mean our estate to the Queen of England our nearest neighbour, and intreat her support for expulsiing these strangers by Armes (if otherwise we cannot obtain it.) And now albeit she pitying our distresses hath taken us and our cause in her protection, yet for the duty we owe unto you as the Mother of our Queen, and the desire we have to eschew the shedding of Christian blood, we have advised once again to intreat the dismission of these French men with their Captains and Commanders, for whose commodious transport the Queen of England will be pleased to lend her Navy, and give to others of them a safe passage by land. If this conditiion shall be rejected, we take God and men to record, that it is not malice nor hatred which moveth us to take Armes, but that we are driven by necessity to use extreme remedies for preserving the commonwealib, and saving our selves, our estates, and posterities from utter ruine: neither shall we for any peril that can happen (howsoever we suffer many wrongs and indignities, and are daily in expectation of worse) forsake that dutiful obedience which we owe to our Queen, or yet resist the King her husband, in any thing that shall not tend to the subversion of the ancient liberties of this Kingdome. Therefore most gracious Queen, we beseech you again and again, to weigh the equity of our Petition, the inconveniences of warre, and to consider how needful it is, that thus your daughters afflicted Kingdom should be put to some rest and quietnesse. If so you do, you shall give to all nations a testimony of your moderation, and procure the peace of the greatest part of Christendome.*

This letter dated at *Dalkeith* the fifth of *April*, was subscribed by all the Noblemen

blemen that were present. The *English* General did in like manner direct Sir *George Howard*, and Sir *James Crofts*, to make offer that if the *French* would peaceably depart forth of *Scotland*, they likewise should return into their countrey without molesting any person. Her answer was, that she would think of what was propounded, and give answer the next day. But the Army not liking to admit these delays, advanced the next day, which was Saturday, towards *Leth*, keeping along the sea coast, till they came to *Restalrig*. The *French* issuing forth of *Leth* to the number of 1300. or thereby, and planting themselves upon a little hill called the *Hawkhill*, (where they knew the *English* Army would encamp) for the space of five houres continued in fight, the one striving to make good the place, the other to carry it. At last the *Scottish* horsemen did charge the *French* with such a fury, that they not able to maintain it any longer, took the flight and retired to the Town, from which they had been quite cut off, if the *English* horse had seconded the *Scots*, as was appointed. In this conflict three hundred of the *French* were killed, and some few of the *English*.

Then begun the Army of *England* to place their Pavilions betwixt the Town of *Leth* and *Restalrig*. The Lord *Gray* lodging in the Deans house in *Restalrig*, and the most part of his horsemen in the same village, the foot lay all in the tents, upon the South and South-east side of *Leth*, and near unto them were the *Scots* Noblemen encamped, trenches cast, and a little mount erected, which was called *Mount Pellain*, from the name of the Captain, whereupon eight Canons were placed to play upon *S. Antonies* Steeple, on which the *French* had planted some Ordinance. These thundering night and day battered the steeple, and forced the *French* to dismount their artillery. The *English* after this growing negligent, and supposing the *French* would make no more sallies, followed their sports, some of the Captains going to *Edinburgh*, and the souldiers falling to play at Dice and Cards, as though there had been no enemies to fear: wherefore the *French* getting intelligence, they issued forth, and entring the *English* trenches before they were perceived, put many to the sword. The slaughter was great, and esteemed to exceed the losse of the *French* in the first encounter.

This accident taught them to be more watchful all the time that the siege continued, and because their numbers were so few for besieging the Town in all parts, they devised to raise certain mounts in every quarter, and to remove the Canon to the West side of the water of *Leth*, more near the walls then before. The last of *April* a sudden fire kindling within the Town, burned all that night, which destroyed many houses, and consumed a great part of the souldiers provision. During this burning, the *English* playing continually with the Canon upon the places where they saw the flames rising to stop the quenching of the fire; and entring the ditches did in the mean time measure the height of the walls to provide ladders for the scaling which they intended.

The seventh of *May* having resolved to give an assault, they brought the ladders a little before day towards the walls, but they proved too short, and so that purpose failed. The *English* lost 160. at this enterprize: such as were affected to the *French*, did hereupon take courage trusting the siege would rise, and the *English* Army depart. but the accident did no way dismay either the *English* or *Scots*, every man animating another to constancie and continuance; and about the time came letters from the Duke of *Norfolk*, which greatly confirmed their mindes. Thereby he charged them not to break up the siege by any means, assuring they should not lack men, so long as any could be had between *Twede* and *Trent*, (for in those bounds he commanded as Lieutenant) and giving hopes to come in person to the Camp, he caused his Pavilion to be set up, and sent thither his officers, and provision. Shortly after, a fresh supply came from *England* of 2000. men, which made all former losses to be forgotten. The *French* for some dayes made divers sallies, but were ever put to the worst; for all the hurt which fell either to *Scottish* or *English*, from that time untill the rendring of the Town, was only the losse of two men, *Robert Colvil* of *Cleish* Master household to Lord *James*, a Gentleman much commended both for wisdom and valour, (he was wounded in the thigh by the shot of a great piece from the

An. 1560.

The *English* General in-treateth the Queen to dis-mit the *French*

The first conflict of the siege of *Leth*.

The situation of the *Scottish* and *English* Camp.

The *French* entered into the *English* trenches where divers were killed.

A fire in the town of *Leth*.

The *English* thinking to scale the walls are repulsed.

An. 1560. the town, and died of it within two houres) and *Alexander Lochart* brother to the Laird of *Barre*, who lying too open in the trenches was discovered by the enemy, and shot in the head.

The offer of
the French
King to the
Queen of Eng-
land.

The Queens
answer.

Sir William Ce-
cill and Do-
ctor Wotton
sent to medi-
ate an agree-
ment.

Queen Regent
sicknes and
death.

She conferreth
with the Lords
before her
death.

Queen Regent
her just com-
mendations.

The malice of
the author of
the story cal-
led *John Knox*
his history.

The French King hearing in what distresse the companies at *Leth* were, and by reason of other affaires, not able to supply them in time, sent Count *Randon* and Monsieur *Monluck* Bishop of *Valence* Ambassadors to the Queen of *England*, desiring her to retire her Army out of *Scotland*, with offers to restore the town of *Callais*, if she would call them back; her answer was, *that she did not value that fisher Town so much, as to hazard for it the state of Britain*. The French perceiving that peace could not otherwise be made, but by calling back the French souldiers, and thinking it dishonorable for the King and Queen of *France* to treat with their own subjects they intreated the Queen of *England* to send her Ambassadors to mediate an agreement: which was easily assented unto, and Mr. *William Cecill* principal Secretary of *England*, with Doctor *Wotton* Dean of *Canterbury* and *York*, appointed to go with the French Ambassadors into *Scotland*, and use their best means for pacifying the present troubles.

Whilest they were in their journey, Queen Regent partly out of sicknesse, and partly of displeasure, died in the Castle of *Edinburgh* the tenth of *June*, 1560. Before her death she desired to speak with the Duke of *Chautellerault*, the Earls of *Argyle*, *Glencarn*, *Marshall*, and Lord *James*; to whom she expressed her grief for the troubles of the Realm, commending earnestly the study of peace unto them, advising them to send both French and English forth of the countrey, and beseeching them to continue in the obedience of the Queen their Sovereign, and to entertain the old amity with the King and Realm of *France*. After some speeches to this purpose bursting forth in tears, she asked pardon of them all whom any way she had offended, professing that she did forgive those who had injured her in any sort, and imbracing all the Nobles one by one, kissing them, she took her farewell. To others of meaner sort that stood by, she gave her hand, and so they departed. Afterwards, disposing her self for another world, she sent for *John Willock* the Preacher, who was then returned from *England*, and conferring with him a reasonable space, openly professed, that *she did trust to be saved only by the death and merits of Jesus Christ*: and thus ended her life most Christianly.

She was a Lady of honest and honourable conditions, of singular judgement, and full of humanity, a great lover of justice, helpful to the poor, especially to those that she knew to be indigent, but for shame could not beg. Compassionate of women in travel, whom she did often visit in her own person, and help both with her skill and counsel. In her Court she kept a wonderful gravity, tolerating no licentiousnesse; her maids were alwayes busied in some virtuous exercise, and to them she was an ensample every way of modesty, chastity, and the best vertues. A great dexterity she had in government, which appeared in the composing the tumults in the North, and in pacifying the Isles which by her wisdom were reduced to perfect obedience. As to those warres which afflicted the Kingdome in her last dayes, it is not to be doubted, but the same happened much against her will, neither had they fallen out at all, if affaires had been carried according to her mind. But she was to govern by direction, and in all matters of weight must needs attend responses from the French Court, which were the Oracles whereby all affairs at those times were framed. This made her in matters of Religion more severe then of her own nature she was, and led her into many errors of State, neglecting the Natives, and born Noblemen of the countrey, and following the counsels of the French that attended her, who making no conscience of their promises, and minding nothing but the bringing of *Scotland* in subjection to *France*, as they conceived things to serve unto their ends, moved her to follow courses unsure and dishonourable. Otherwise she was of a most milde disposition, and was heard often to say, *That if her own counsel might take place, she doubted nothing to compose all the dissensions within the Realm, and settle the same upon good conditions in a perfect tranquillity*. The Author of the story ascribed to *John Knox* in his whole discourse sheweth a bitter and hateful spite against her, forging dishonest things, which was never

so much as suspected by any, setting down his own conjectures as certain truths, and misinterpreting all her words and actions; yea the least syllable that did escape her in passion, he maketh it an argument of her cruel and inhumane disposition; but when he cometh to speak of her end he will have all her sickness, and death (though in none of the two there was any thing extraordinary) to be the judgement of God inflicted upon her, as if death and the ordinary visitations which bring death, were not common to Princes as well as others. Then for her burial, because by direction of her friends, and (as some say) at her own desire order was taken to carry her corps to the Abbey of *Rhemes* in *Campaigne*, where her sister was Abbess, which of all necessity required a protraction of time, he construed the delay to be the punishment of her inhumanity, and the want of sepulchre in this Kingdom, a prognostick of the short continuance of her race, and the *Guisean* blood (as he speaks) in this Realm. Pardon me good Reader for this digression. To detract from the fame of Princes, and miscentre their words and actions, faviour of malice, and no way becometh a Christian, much lesse a Minister of Christ.

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A truce taken
upon the death
of the Queen
Regent.

Shortly after the death of Queen Regent truce was taken for hearing the Ambassadors sent from *France* and *England*, who coming to *Edinburgh*, entred into consultation first amongst themselves, upon the best and easiest means to compose the present quarrels. Then calling to them certain of the *Scottish* Nobility, began to treat of the sending of the *French* souldiers forth of the Realm. Wherein two difficulties occurred. One was, that the Commissioners of *France* did urge the retaining of a number of men of war in some forts of the countrey for the King and Queen, after peace was concluded. The other, that the companies that should be broken, might depart unchallenged with all their baggage. The *Scottish* Noblemen did oppose these desires, esteeming it unreasonable that they should be suffered to depart before they gave satisfaction to those they had wronged; And to place strangers in forts, they thought it could not but breed trouble, and occasion a new warre more dangerous then the present. This contention held some dayes, at last both parties wearying, they were brought to agree upon the conditions following.

Conditions of
the peace.

1. That the *French* men of warre in the town of *Leth*, should be sent home within the space of twenty dayes with bag and baggage; and for their better transport, should be furnished with ships of *England*, they giving pledges for the safe return of the same.

2. That *Leth* being rendered to the Lords of *Scotland*, the walls thereof should be demolished, as likewise the fortifications at *Dumbar*, if so it should seem good to the Lords, after they had viewed the same; and that the King and Queen should make no new forts within the Realm, nor augment these that were already made, nor yet repair these that were demolished, without counsel and consent of the Estates.

3. That a Garison of threescore *French* men should be permitted to remain in the Castle of *Dumbar*, and as many in the Isle of *Inchkeeth*, untill the Estates should find means to maintain the said forts upon their own charges from all peril of forain invasion; the said souldiers in the mean time living obedient to the lawes of the Realm, and taking nothing from the subjects without paiment of ready money.

4. That an Act of oblivion should be made for abolishing the memory of all injuries and wrongs attempted or committed against the lawes of the Realm, since the sixth day of *March*, 1558. untill the first of *August* 1560. which Act should be ratified in the next Parliament, and confirmed by the Queen with consent of her husband.

5. That a general peace and reconciliation should be made amongst the Lords and subjects of the Realm, so as they who were called of the Congregation, and they who were not of the same, should bear no quarrel to others for any thing done since the sixth of *March*, 1558.

6. That the King and Queen should not pursue, revenge, or suffer to be revenged, any violence or injury that had been done since the said time, nor should deprive or seek any colour to dispossess the subjects, or any of them, of the benefices, hou-

ses,

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ses and estates which they have enjoyed before, they alwayes continuing in the due obedience of their Sovereigns. And that it might be known that the King and Queen were not willing to keep any remembrance of the troubles past, it was accorded the Duke of *Chattellerault*, and all other Noblemen of *Scotland* should be repossessed in their livings and benefices within *France*, after the manner that they did enjoy the same, before the said sixth day of *March*; and that all capitulations agreed upon in time past, should be observed as well for the part of their Majesties, as the part of the Nobility and people of *Scotland*.

7. That where any Bishops, Abbots, or other Churchmen, should alledge themselves to have received any injuries either in their persons or goods, the same should be considered by the Estates of Parliament, and redresse made according to reason; and in the mean time, that no man should stop them to enjoy their rents, nor do any hurt or violence to their persons; and if any should do contrary to this Article, he should be pursued by the Lords as a perturber of the Commonwealth.

8. That in time coming the King and Queen should depute no strangers in the administration of Civil and Common Justice, nor bestow the offices of Chancellery, Thesaurer, Comptrollary, and the like upon others, then born subjects of the Realm: as likewise that it should not be lawful to give the office of Thesaurary, or Comptrollary to any Churchman or other person that is not able to administrate the same. Further, that the Thesaurer and Comptroller appointed by them, and instructed with sufficient commission, should do nothing in disposing of casualties without the consent of the Council, to the effect all things may be done for the profit of the King and Queen: yet should it not be thought that this Article did either bind the King or Queen, but that they may give where and when they should think expedient.

9. That the Estates of the Realm should convene and hold a Parliament in the moneth of *August* next, for which a Commission should be sent from the *French* King, and the Queen of *Scotland*, and that the said convention should be as lawful in all respects, as if the same had been ordained by the expresse Commandment of their Majesties: providing all tumults of warre be discharged, and they who ought by their places to be present, may come without fear.

10. That for the better government of this Realm choice should be made of a Council which should consist of twelve worthy men of the Kingdom, of which number the Queen should chuse seven, and the Estates five; which twelve in their Majesties absence should take order with the affaires of Government, and without their authority and consent nothing should be done in the administration of publick businesse. And that the said Council should convene as oft as they might conveniently, but no fewer then six together; or if any matter of importance occurred, they should all be called, or the most part of them: providing it should not be prejudicial to the King and Queen, and to the Rights of the Crown.

11. That the King and Queen should neither make peace nor warre in these parts, but by the counsel and advise of the Estates, according to the custome of the country, as it was observed by their predecessors.

12. That none of the Lords of the Nobility of *Scotland* should make convocation of men of warre, except in ordinary cases approved by the lawes and custome of the Realm, nor should any of them cause men of warre strangers to come into these parts, much lesse attempt to do any thing against the King and Queen, or against the authority of the Council, and other Magistrates of the Realm; and in case any of them had occasion to take Armes, the same being first communicated to the Council, their Majesties likewise should be made acquainted therewith, and nothing to be done by them, that ought not to be done by good and faithful subjects, that love the quietnesse of the Realm, and will abide in the obedience of their Sovereigns.

13. That Lord *David* son to the Duke of *Chattellerault*, detained prisoner at *Bois de Vincennes*, should be put to liberty, and suffered to return into *Scotland* at his pleasure.

14. That with the *French* men no Artillery should be transported forth of the Realm,

Realm, but those which were sent, and brought in since the decease of *Francis* the first, and that all other Artillery and Munition, especially that which hath the Armes of *Scotland*, should be put into the places out of which they were taken.

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15. That the Army of *England* should return home immediately after the embarking of the *French*, and that all the *Scottish* men of warre should be broken, and licenced to depart.

16. That for the Articles concerning Religion presented for the part of the Nobility and people of *Scotland* (which the Commissioners would not touch, but referred to their Majesties) it was promised that a certain number of Noblemen should be chosen in the next Convention and Parliament to be sent to their Majesties, to expone unto them the things that should be thought needful for the estate thereof; and for the Articles presently decided, they should carry with them the ratification of the same by the Estates, and return a confirmation thereof from their Majesties.

Lastly, that the Queen of *Scotland*, and King of *France* should not hereafter usurp the titles of *England*, and *Ireland*, and should delete the Arms of *England* and *Ireland* out of their scutchions and whole householdstuffs.

This accord made, the *French* prepared to depart, and for returning the ships of *England* that were lent to transport them, the Bishop of *Amiens* and *Monsieur le Broche* remained hostages. On the sixteenth day of *July* the *French* embarked, and the same day did the *English* Army depart towards *Berwick*; the third day after their parting, a solemn thanksgiving was kept in the Church of *S. Giles* by the Lords, and others professing true Religion, and then were the Ministers by common advice distributed among the Burghs.

The *French* embark, and the Army of *England* departeth.

John Knox was appointed to serve at *Edinburgh*, *Christopher Goodman* at *S. Andrews*, *Adam Heriote* at *Aberdene*, *John Row* at *Perth*, *William Christeson* at *Dundy*, *David Ferguson* at *Dunfermlin*, *Paul Methven* at *Fedburgh*, and *Mr. David Lindesay* at *Leth*; besides these they did nominate for the direction of Church affaires, some to be Superintendents, as *Mr. John Spotswood* for *Lothian* and *Mers*, *Mr. John Winram* for *Fife*, and *John Areskin* of *Dun* for *Angus* and *Mernis*, *Mr. John Willock* for *Glasgow*, and *Mr. John Kerswel* for *Argyle* and *Isles*; with this small number was the plantation of the Church at first undertaken.

The Ministers distributed amongst the Burghs.

The time appointed for the Parliament approaching, warning was made to all such as by law or ancient custome had any voice therein to be present, and at the day the meeting was frequent; In the beginning there was great altercation, divers holding that no Parliament could be kept, seeing their Sovereigns had sent no Commission, nor authorized any to represent their persons. Others (alleging that Article of the peace whereby it was agreed, That a Parliament should be kept in the moneth of August, and that the same should be as lawful in all respects, as if it were ordained by the expresse commandments of their Majesties) maintained that the said Article was a warrant sufficient for their present meeting: and this opinion by voices prevailed. So after some eight dayes spent in these contentions, they began to treat of affairs, but as they had no commission, so the solemnities accustomed of Crown, Scepter, and Sword, which are in use to be carried at these times, were neglected. There were present of the spiritual Estate, the Archbishop of *S. Andrews*, the Bishops of *Dunkeld*, *Dumblane*, *Galloway*, *Argyle*, and *Isles*; The Prior of *S. Andrews*, the Abbots of *Couper*, *Landors*, *Culross*, *S. Colmes Inch*, *Newbottle*, *Halirudhouse*, *Kinlose*, *Deire*, and *New-Abbey*, with the Priors of *Cunningham*, and *S. Mary Isle*; Of the Nobility, the Lord Duke, the Earls of *Arrane*, *Argyle*, *Marshall*, *Cassils*, *Cathnes*, *Athol*, *Glencarne*, *Merton*, and *Rothes*: The Lords *Ruthven*, *Glamis*, *Areskin*, *Boyd*, *Ochiltrie*, *Carlile*, *Levingston*, *Ogilvy*, and *Somervil*, with many of the inferiour Barons; and of the Commissioners of Burghs none were absent. In electing the Lords of the Articles, the Noblemen that had the nomination of the Clergy passing by such amongst them as they knew to be Popishly affected, made choice of the Bishops of *Galloway*, and *Argyle*, the Prior of *S. Andrews*, the Abbots of *Abberbrothock*, *Kilwinning*, *Lundors*, *Newbottle*, and *Culross*; at which the Prelates stormed mightily, alleging that some of them were meer Laicks, and all of them Apo-

A Parliament, and the lawfulness thereof questioned.

The Clergy offended with the election of the Lords of the Articles.

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Petitions pro-
posed in fa-
vour of the
Reformers.

states (for they had openly renounced popery, and joyned themselves with the Professors of the truth) but there was no remedy, the course was changed; and now it behoved them to take law, who formerly had given it to others.

The first thing they moved in the Articles, was a supplication of the Barons, Gentlemen, Burgesses, and other subjects concerning religion, wherein three things were petitioned. First, *that the Doctrine of the Romane Church professed and tyrannously maintained by the Clergy should be condemned, and by Act of Parliament abolished.* Some particulars they named, such as *the Doctrine of Transubstantiation, the adoration of Christs body under the form of bread, the merit of works, Papisticall Indulgences, Purgatory, Pilgrimage, and praying to Saints departed.* These they reckoned to be pestilent errors, such as could not but bring damnation to the souls of those who were therewith infected: therefore desired a punishment to be appointed for the teachers and maintainers of such Doctrines. Next, *that a remedy should be found against the profaning of the holy Sacraments by men of that profession, and the true Discipline of the ancient Church revived and restored.* Thirdly, *that the Pope of Rome his usurped authority should be discharged, and the patrimony of the Church employed to the sustentation of the Ministry, the provision of Schools, and intertainment of the poore, of a long time neglected.*

This last clause was not very pleasing to divers of the Nobility, who though they liked well to have the Pope his authority and doctrine condemned, had no will to quit the Church Patrimony, wherewith in that stirring time they had possessed themselves. So making no answer to the last point; the Ministers were desired to draw into severall heads the summe of the Doctrine they craved to be established, that the same might be seen and considered by the Parliament. This accordingly was done, and the fourth day after (which was the 17. of August) exhibited to the Estates under this title, [The confession of the Faith and Doctrine, believed and professed by the Protestants of Scotland;] It is the same confession word by word that you have registred in the first Parliament of King James the sixth, which (that the story may on with an uninterrupted delivery) I thought not needfull here to insert.

The Confessi-
on of Faith put
in form and
presented.

The Confessi-
on approved.

The Confession read in open Parliament and put to voyces, the Earle of Atholl, the Lords Sommervill and Borthwick onely of all the temporall Estate dissented, saying, *They would believe as their fathers before them had believed.* The Popish Prelats were silent, and answered nothing; whereupon the Earle Marshall brake forth into these speeches; *It is long since I carried some favour unto the truth, and was somewhat jealous of the Romane religion, but this day hath fully resolved me of the truth of the one, and falshood of the other: for seeing my Lords the Bishops (who by their learning can, and for the zeal they should have to the truth, would as I suppose gainsay any thing repugnant unto it) say nothing against the confession we have heard, I cannot think but it is the very truth of God, and the contrary of it false and deceiveable doctrine.* Thus was the confession of Faith approved, and by publick voices of the Estates authorized. At the same time there passed three other Acts in favour of the Professors; one for abolishing the Popes Jurisdiction and authority within the Realm; a second annulling all Statutes made in preceding times for maintenance of idolatry; and a third for punishment of the sayers and hearers of Mass.

The Popes au-
thority abo-
lished.

The Lord
Torpichen di-
rected to
France.

With these Acts Sr. James Sandelands Knight of the Rhodes, a Gentleman of good account (who had carried himself as neuter in all these broiles) was directed to France for obtaining a ratification of the same from the Queen and the King her husband; and therewith was desired to clear the Noblemen and other Subjects from imputations of disloyalty cast upon them, and to pacifie the mindes of their Sovereignes, (whom they understood to be much exasperated) by all the good wayes he could use. But he found his Ambassage and himself both contemned; the Guisians (who were the onely men then in account with the King) checking him bitterly at his first audience, for that he being a Knight of the holy Order, should have taken a Commission from Rebels to sollicite a ratification of execrable Heresies: The Gentleman did what he could to mitigate their wrath, but nothing could avail. So was he dismissed without answer, whereof the Archbishop of Glasgow, the

Abbat

Abbat of *Dunfermlin*, and the Lord *Seaton*, who went from *Leth* with the company of *French*, were generally blamed.

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The cold entertainment he found in that Court was soon advertised; which troubled greatly the mindes of the Professors, for they were sensible of their own weakness, and doubtfull of support from *England*, if *France* should again invade, because of the loss the *English* had received in the late expedition; neither had the Earl of *Morton* and *Glencarn* (who upon the breaking up of the Parliament were sent into *England* to render thanks to the Queen, and to intreat the continuance of her favour) given any advertisement of their acceptance. But whilst they stood thus fearfull, newes was brought of the *French Kings* death, which raised their hearts not a little, neither were they more glad, then the *French* faction were sorrowfull.

The Earles *Morton* and *Glencarn* sent into *England*.

The *French King* dieth.

These meeting in the most secret manner they could, took counsell to send Mr. *John Lesley* (afterwards Bishop of *Rosse*) with letters to the Queen, intreating her to return into *Scotland*; withall to shew her that the best course she could take, was to land at *Aberdene*, where she should be honourably received, and find such assistance of the Noblemen in these quarters, as at her first coming she might re-establish the Catholick Religion: he was also desired to warn the Queen not to give ear to the counsels of her brother, who (as they said) was of an aspiring minde, and aimed at no less then the Government of the Realm; whom she should do wisely to cause be detained in *France*, till matters at home were fully settled. The letter he carried was subscribed by the Archbishop of Saint *Andrewes*, the Bishops of *Aberdene*, *Murray* and *Rosse*; the Earles of *Huntly*, *Craford*, *Athol*, *Sutherland*, and *Cathness*.

Mr *John Lesley* sent from the *French* faction to perswade the Queens return.

On the other side the Noblemen that had assisted the expulsion of the *French*, how soon they heard of the death of King *Francis* convened at *Edinburgh*, and after counsell taken directed Lord *James* to the Queen to perswade her in like manner to return: But *Lesley* using greater diligence came to her some dayes before him, and finding her at *Virrie* in *Champaigne*, (whither she was gone to seek a secret place for her sorrow) delivered the letters and credit he was trusted with. The Queen hearing all, answered, that the Prelats and Noblemen by whom he was imployed, should rest assured of her favour, willing him to advertise so much, and to attend till she could resolve upon her return. Incontinent after *Lesleys* coming the Queens uncles did enter in deliberation what course was best for her to take, and whether or not she should return to *Scotland*; for they conceived the passage by Sea would be dangerous, (she not being assured of the Queen of *Englands* friendship) And in her own Kingdome the late troubles not being fully appeased, they considered her peril would be great, and that she should be cast in many difficulties: yet finding her own mind to incline that way, and hoping to have her more subject to their counsels whilst she lived at home, then if she remained in *France*; they resolved to give way to her return, and to provide a fleet for her safe transport. Lord *James* at his coming, though he was advertised of the conclusion taken, yet dissembling his knowledge thereof, did signify the great desire that the subjects had to enjoy her presence, and their longing for her return, using the best reasons he could to perswade her unto it. Hereby she was much confirmed in her purpose, and after a day or two imparting to him her resolution, willed him to return with diligence, and making advertisement of her journey, take care that nothing should be attempted against the pacification made at *Leth* before her coming.

Lord *James* by the Noblemen of the Reformation to the same end.

The Queen resolves to return.

In *March* following there arrived at *Leth* one *Noalius* a Senator of *Burdeaux*, bringing a Commission from the King that had now succeeded his brother, whereby three things were craved; First, that the old league betwixt *France* and *Scotland* should be renewed. Secondly, that the late confederacie with *England* should be dissolved. Thirdly, that the Churchmen should be restored to their places, from which they had been thrust. The Councel not willing to medle with matters of that importance, delayed his answer to the Convention appointed in *May*, at which time Lord *James* returned: he had audience and answer given him to this effect: That the Scots were no way conscious to themselves of any breach of the ancient league, but contrariwise the *French* had

An ambassage from *France*.

The answer of the Convention,

An. 1560. *had broken to them, seeking of late to deprive them of their ancient liberties, and under the profession of friendship to bring them into a miserable servitude. That they could not violate the contract made with England, except they would be accounted of all men living the most ingrate; for having received the greatest kindness and benefit at the hands of the English, which one neighbour Nation could possibly do unto another, if they should requite them with such ingratitude, they would bring upon themselves a perpetual and everlasting shame. And for repairing the Churchmen in their places, they said that they did not acknowledge those whom they so styled to be Office-bearers in the Church, and that Scotland having renounced the Pope, would maintain no longer his Priests and vassals.*

Morton and
Glencarn re-
turn from
England.

Noalius dismissed with this answer, the Earls of Morton and Glencarn, who a little before this time were returned from England, did relate the good acceptance they received from the Queen, and the promises she made to assist them in the defence of the liberties of the Kingdome, if they should stand in need at any time of her help; which was heard with great content. They had been trusted with a more private businesse; this was to try if the Queen might be pleased to take the Earl of Arrane to her husband, and that way to unite the Kingdomes in a more firm amity. But to this she did in fair terms answer, *That she was not as yet wearied of the single life, and professing her self adepted to the Nobleman's good affection, said that if she should try her kindnesse in any other matter, he should find his love not ill bestowed.* The Earl took the repulse more patiently, because of the French Kings death, and trusting he should gain the favour of his own Queen, whom he greatly affected: but of this he was likewise disappointed as we will hear.

A form of
Church policy.

IN the Convention kept at *Edinburgh* in *January* preceding a form of Church-policy was presented, and desired to be ratified. Because this will fall to be often mentioned, and serveth to the clearing of many questions which were afterward agitated in the Church; I thought meet word by word here to insert the same, that the Reader may see what were the grounds laid down at first for the Government of the Church, so we shall the better decerne of the changes that followed.

The first Head of Doctrine.

SEEING that *Christ Jesus* is he whom God the Father hath commended onely to be heard and followed of his sheep, we judge it necessary, that his Gospel be truly and openly preached in every Church and Assembly of this Realm, and that all Doctrine repugning to the same be utterly suppressed as damnable to mans salvation.

The Explication of the first Head.

Left that upon this our generality ungodly men take occasion to cavill, this we adde for explication; By *preaching of the Gospel*, we understand not only the Scriptures of the *New Testament*, but also the *Old*; to wit, the Law, the Prophets, and Histories, in which *Christ Jesus* is no lesse contained in figure, then we have him now expressed in vertue; And therefore with the Apostle we affirm, that *all Scripture inspired of God, is profitable to instruct, to reprove, and to exhort.* In which books of Old and New Testaments we affirm that all things necessary for the instruction of the Church, and to make the man of God perfect, are contained and sufficiently expressed.

By the contrary Doctrine we understand, whatsoever men by Lawes, Councils, or Constitutions have imposed upon the consciences of men without the expresse Commandment of Gods word; such as are the vows of chastity, forswearing of marriage, binding of men and women to a severall and disguised apparel, to the superstitious

perstitious observing of Fasting-dayes, difference of meats for conscience sake, prayer for the dead, and keeping of Holy dayes of certain Saints, commanded by man, such as be all these the Papists have invented, as the Feasts (so as they term them) of the Apostles, Martyrs, Virgins; of Christmas, Circumcision, Epiphany, Purification, and other said Feasts of our Lady: which things because in the Scriptures of God they neither have commandment, nor assurance, we judge them utterly to be abolished from this Realm. Affirming further, that the obstinate maintainers and teachers of such abominations ought not to escape the punishment of the Civil Magistrate.

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The second head of Sacraments.

TO *Christ Jesus* his holy Gospel truly preached, of necessity it is that his holy Sacraments be annexed and truly ministred as seals, and visible confirmations of the spiritual promises contained in the words. These Sacraments are two; to wit, Baptisme, and the holy Supper of the Lord *Jesus*; which are then rightly ministred, when by a lawful Minister the people before the administration of the same, are plainly instructed and put in mind of Gods free grace and mercy offered unto the penitent in *Christ Jesus*, when Gods promises are rehearsed, the end and use of the Sacraments preached and declared in such a language, as the people do understand; when also to them nothing is added, and from them nothing diminished, and in their administration all things done according to the institution of the Lord *Jesus*, and practice of his holy Apostles. And albeit the order of *Geneva*, which now is used in some of our Churches, is sufficient to instruct the diligent Reader how that both these Sacraments may be rightly ministred, yet for an uniformity to be kept, we thought good to adde this as superabundant.

In Baptisme we acknowledge nothing to be used except the element of water only, and that the word and declaration of the promises (as we said before) ought to precede: therefore whosoever presumeth in Baptisme to use oyle, salt, wax, spittle, conjuration and crossing, as they accuse the institution of *Christ* of imperfection, (for it was void of all these inventions) so for altering Christs perfect Ordinance they ought to be severely punished.

The table of the Lord is then most rightly ministred, when it approacheth most nigh to Christs own action. But plain it is that at the Supper *Christ Jesus* sate with his Disciples, and therefore do we judge, that sitting at table is most convenient to that holy action; that Bread and Wine ought to be given, distribution of the same made, that the Bread should be taken and eaten, and likewise that all should drink of the Cup, with declaration what both the one and the other is. For touching the damnable error of the Papists, who defraud the people of the Cup of the Lords blood, their error is so manifest, as it needeth no confutation.

That the Minister break the bread, and distribute the same to those that be next unto him, commanding the rest every one with reverence and sobriety to break with other, we think it neere to *Christs* action and to the perfect practice of the Apostles, as we reade in Saint *Paul*. During which action we think it necessary, that some comfortable places of Scripture be read, which may bring in minde the death of the Lord *Jesus*, and the benefit of the same: for seeing in that Action we ought chiefly to remember the Lords death, we judge the Scriptures making mention of the same, most apt to stir up our dull minds then, and at all times. The Ministers at their discretion may appoint the places to be read as they think good; but what times we think most convenient for ministration of the one and other Sacrament, shall be declared when we come to the policy of the Church.

The third head touching the abolishing of Idolatry.

AS we require *Christ Jesus* to be truly preached, and his holy Sacraments rightly ministred; so we can not cease to require Idolatry with all monuments and places of the same, as Abbeyes, Chappels, Monkeries, Friers, Nunneries, Chuntries, Cathedral

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Cathedrall Churches, Chanonries, Colledges, other then presently are Parish Churches or Schools, to be utterly suppressed in all places of this Realm; Palaces, Mansions and dwelling houses, with their Orchards and Gardens, onely excepted. As also we desire that no persons, of what estate or condition soever they be, be permitted to use idolatrous service; for that wheresoever idolatry is maintained, if so it may be suppressed, the wrath of God shall reigne both upon the blinde and obstinate idolaters, and those that negligently suffer the same.

By *Idolatrie* we understand, the Masse, invocation of Saints, adoration of Images, and the keeping and retaining of the same; finally, all honouring of God, not contained in his holy word.

The fourth head concerning Ministers and their lawfull Election.

IN a Church reformed or tending to reformation none ought to presume, either to preach, or yet minister the Sacraments, untill they be called orderly to the same. Ordinary vocation consisteth in Election, Examination and Admission; and because the election of Ministers in Papistry hath been altogether abused, we think expedient to intreat of it more largely.

It appertaineth to the people and to every severall congregation to elect their Minister, and in case they be found negligent therein the space of fourty dayes, the best reformed Church, to wit, the Church of the Superintendent with his councill, may present unto them a man that they judge apt to feed the flock of *Christ Jesus*, who must be examined as well in life and manners, as in doctrine and knowledge.

That this may be done with more exact diligence, the persons who are to be examined, must be commanded to appear before men of soundest judgement, remaining in some principall town, next adjacent unto them. As they that be in *Fife, Angus, Mernis* or *Stratherne* to present themselves in *St. Andrewes*; those that be in *Lothian, Mers*, or *Tiviotdale*, in *Edinburgh*; and likewise those that be in other countries, must resort to the best reformed Cities and Towns, that is, to the Town of the Superintendent, where first in the Schools, or failing thereof in open assembly, and before the congregation they must give declaration of their gifts, utterance and knowledge by interpreting some place of Scripture to be appointed by the Ministry; which being ended, the person that is presented, or that offereth himself to the service of the Church, must be examined by the Ministers and Elders of the Church openly before all that list to hear, in all the chief points that be now in controversie betwixt us and the *Papists, Anabaptists, Arrians*, and other such enemies to the Christian Religion; In which if he be found and able to perswade by wholesome Doctrine, and to convince the gain-sayers, then must he be directed to the Church and Congregation where he would serve; that there in open audience of the flock he may preach and deliver his knowledge in the Article of Justification, the Offices of *Christ Jesus*, the number, effect and use of the Sacraments, and finally, the whole Religion which heretofore hath been corrupted by *Papists*.

If his Doctrine be found wholesome and able to instruct the simple, and if the Church can justly reprehend nothing in his life, doctrine or utterance; then we judge the Church, which before was destitute, unreasonable, if they refuse him whom the Church doth offer, and that they should be compelled by the censure of the Councill and Church to receive the person appointed and approved by the judgement of the Godly and Learned; unless that the same Church hath presented a man better or as well qualified to examination, before that the foresaid triall was taken of the person presented by the Councill of the whole Church. As for example; the Councill of the Church presents a man unto a Church to be their Minister, not knowing that they are otherwise provided; in the mean time the Church hath another sufficient in their judgment for that charge, whom they present to the learned Ministers, and next reformed Church to be examined. In this case the presentation of the people to whom he should be appointed Pastor, must be preferred to the presentation of the Councill or greater Church, unless the person presented

presented by the inferiour Church, be judged unable for the regiment by the learned. For this is alwayes to be avoyded, that no man be intruded or thrust in upon any congregation. But this liberty with all care must be reserved for every severall Church, to have their voices and suffrages in election of their Ministers: Yet we do not call that violent intrusion, when the Councell of the Church in the fear of God, regarding only the salvation of the people, offereth unto them a man sufficient to instruct them, whom they shall not be forced to admit before just examination, as is aforesaid.

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*What may enable any Person that he may not be admitted
to the Ministerie of the Church.*

It is to be observed that no person noted with publick infamie, or being unable to edifie the Church by wholsome doctrine, or being known of corrupt judgement, be either promoted to the regiment of the Church, or yet retained in Ecclesiasticall, administration.

Explication.

By *publick infamy* we understand not common sins and offences which any hath committed in time of blindness by frailty, if he have declared himself truly penitent thereof by a more sober and better conversation; but such capitall crimes as the Civil sword ought and may punish with death by the Word of God; for besides that the Apostle requireth the life of Ministers to be *irreprehensible*, that they may have *a good testimony from those who be without*, we esteem it a thing unseemly and dangerous, that he shall have publick authority to preach to others everlasting life, from whom the Civil Magistrate may take the life temporall for a crime publicly committed. And if any will object, that the Prince hath pardoned his offence, and that he hath publicly repented the same: we say, that neither doth repentance take away the temporall punishment of the Law, nor the pardon of the Prince remove the infamy before.

That the life and conversation of the person presented or to be elected may be more clearly known, publick Edicts may be directed to all parts, at least to those parts where he hath bin most conversant, as where he was educated in letters, or continued since the years of his Infancy and childhood were passed. Strict commandment would also be given, that if any capitall crime hath bin committed by him, the same should be notified; and if he hath committed wilfull murder, and adultery, if he hath bin a common fornicator, thief, drunkard, fighter, a brawler or contentious person; these Edicts ought to be published in the chief Cities, with Declaration that such as conceal his known sins, do so far as in him lieth deceive and betray the Church of God, and communicate with the sins of the wicked person.

Admission.

The admission of Ministers to their Offices must consist in the consent of the people and Church whereunto they shall be appointed, and in the approbation of the learned Ministers appointed for their examination.

We judge it expedient that the admission of Ministers be in open audience, where some speciall Minister shall make a Sermon touching the duty and office of Ministers, their manners, conversation and life, as also touching the obedience which the Church oweth to their Ministers; and warning made to the Minister that he attend carefully upon the flock over which he is placed, and walk in the presence of God so sincerely, as the graces of the holy Spirit may be multiplied upon him; and in the presence of men, so soberly and uprightly, that by his exemplary life the word which he teacheth may be confirmed. The people likewise ought to be exhorted to reverence and honour the Minister as the *Servant* and *Ambassador* of the Lord Jesus, obeying the Doctrine delivered by him out of the Word, even

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Other *ceremonies* then the publick approbation of the people, and the Declaration of the chief Minister, that the person there presented is appointed to serve that Church, we cannot approve; for albeit the Apostles used the *Imposition of hands*, yet seeing the miracle is ceased, the using of the *ceremony* we judge not to be necessary.

The Minister once publickly admitted may not leave the flock at his pleasure, to which he hath promised his fidelity and labours: nor yet may the flock reject and change him at their appetite, unless they be able to convict him of such crimes, as deserves deposition. We mean not but that the whole Church or most part thereof for just considerations may translate a Minister from one Church to another, neither yet mean we that men who serve now as it were of benevolence, may not be appointed to other places, but they being once solemnly admitted, we think they should not change at their own pleasure.

We are not ignorant, that the rarity of learned and godly men will seem a just reason to some, why that so strict and sharp examination should not be taken universally; for so it would appear that the most part of Churches shall have no Minister at all. But let these men understand that the lack of able men will not excuse us before God, if by our consent unable men be placed over the flock of *Christ*. As also that amongst the Gentiles godly and learned men were as rare, as they be now amongst us, when the Apostles gave the same rule of examining Ministers, which we now follow.

Lastly, let them understand, that is like to have no Minister at all, and to have an idoll in the place of a true Minister, yea in some sort it is a worse; for they that be utterly destitute of Ministers, will make diligent search for them, but such as have a vain shadow content themselves commonly with the same, without any further care, and they remain deceived, thinking that they have a Minister, when in very deed they have none: for he is not to be thought a Minister, that cannot break the Bread of life to fainting and hungry soules; neither can the Sacraments be rightly ministred by him, in whose mouth God hath not put the word of exhortation.

The chiefest remedy in this rarity of true Ministers, is fervent prayer unto God, that it may please him to thrust forth faithfull labourers into this his harvest. Next, the Councell of their authority, compell such men as have gifts and graces able to edifie the Church of God, to bestow them where greatest necessity is known. For no man may be permitted to live idle, nor as themselves list, but must be appointed to travell, where the Church and Councell shall think it most expedient. We cannot prescribe certain rules how the Ministers should be distributed, and such learned men as God hath already sent unto us: But of this we are assured, that it greatly hindreth the progress of *Christ's* Gospel within this poore Realm, that some altogether abstract their labours from the Church, and others remain altogether in one place, the most part of them being idle. And therefore think that the Councell should compell all men to whom God hath given any Talent to perswade by wholesome Doctrine, to bestow the same, if they be called by the Church, to the advancement of *Christ's* glory, and to the comfort of his troubled flock; and that with consent of the Church not onely Townes may be assigned for the chiefest workemen to remaine in, but also Provinces; that by their faithfull labours Churches may be erected, and order established where none is at the present.

For Readers.

To the Church that cannot presently be furnished with Ministers, men must be appointed that can distinctly read the *Common-Prayers* and *Scriptures* for the exercise both of themselves & of the Church, untill they grow untill a greater perfection. Because he who is now a Reader, may in process of time attain to a further degree, and be admitted to the holy Ministry. Some we know that of long time have
professed

professed *Christ Jesus*, whose honest conversation deserveth praise of all good men, and whose knowledge might greatly help the simple and ignorant people, notwithstanding the same persons content themselves with reading; These must be animated and encouraged to take upon them the function of the Ministry. But if in no measure they be qualified for preaching, they must abstain from administration of the Sacraments, till they attain unto further knowledge, and such as take upon then the office of Preachers, who shall not be found qualified therefore by the Superintendent, are by him to be placed Readers.

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The fift head concerning the provision of Ministers, and distribution of the rents and Possessions justly pertaining to the Church.

Scripture and Reason do both teach, that *the labourer is worthy of his hire*; and that *the mouth of the Oxe that treadeth forth the corne, ought not to be mused*. Therefore of necessity it is, that honest provision be made for Ministers, which we require to be such, that they neither have occasion of solicitude, nor yet of insolvency and wantonnesse. And this provision must be made not only for their own sustentation during their lives, but also for their wives and children after them: for it is against godliness, reason, and equity, that the widow and children of him who did faithfully serve the Church of God in his life, and for that cause was not careful in providing for his family, should after his death be left comfortlesse.

It is difficult to appoint the severall stipends of every Minister, because the charges of necessity of all will not be alike; for some will be resident in one place, some will be compelled to travel and change their dwelling, especially if they have charge of divers Churches; Some will be burthened with wife and children, and one with more then another; some perchance will live a single life; and if equal stipends should be appointed to all these, who are in charge so unequal, one would suffer penury, and another have superfluity. Therefore we judge that every Minister should have sufficient wherewith to keep an house, and be sustained honestly in all things necessary, forth of the rents of the Church which he serveth, conform to his quality, and the necessity of time: wherein it is thought that every Minister shall have forty bolls meal, and twenty bolls malt, with money to buy other provision to his house, and serve his other necessities, the modification whereof is to be referred to the judgement of the Church, which shall be made every year at the choosing of the Elders and Deacons; providing alwayes that there be advanced to every Minister, provision for a quarter of a year before-hand of all things.

To the Superintendents who travel from place to place for establishing of the Church, a further consideration must be given; therefore we think that to each of them should be appointed six Chalders beer, nine Chalders meal, and three Chalders oats for provand to his horse, with 500. Marks of money, which may be augmented and diminished at the discretion of the Prince and Council of the Realm.

The children of the Ministers must be freemen of the Cities next adjacent, where their Fathers laboured faithfully; they must also have the priviledges of Schooles and Bursaries in Colledges freely granted unto them, if they be found apt for learning; or failing thereof, they must be put to some handicraft, and virtuous industry, whereby they may be profitable instruments in the commonwealth. Their daughters likewise would be vertuously brought up, and honestly educated, when they come to maturity of years, at the discretion of the Church. And this we require not so much for our selves or any that pertaineth to us, as for the increase of vertue and learning, and for the profit of the posterity to come. For it is not to be supposed, that a man will dedicate his children to serve in a calling, where no worldly commodity is expected; and naturally men are provoked to follow vertue, where they see honour and profit attending the same; as by the contrary, many despise vertue when they see vertuous and godly men live unrespected; and we should be sorry to know any to be discouraged from following the studies of learning, whereby they may be made able to profit the Church of Christ.

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Of the stipend of the Readers we have spoken nothing, because if they can do nothing but read, they cannot be esteemed true Ministers, and regard must be had of their labours, but so as they may be spurred forward to vertue; therefore to a Reader that is lately entered, we think forty Marks, more or lesse as the Parishioners can agree, sufficient: providing that he teach the children of the Parish, which he must do besides the reading of the Common Prayer, and the books of Old and New Testament. If from reading he proceed to exhort and explaine the Scriptures, then ought his stipend to be augmented, till he come to the degree of a Minister. But if after two years service he be found unable to edify the Church by preaching, he must be removed from that office and discharged of all stipend, that another may be put in place, who to the Church may be more profitable.

No childe nor person within the age of one and twenty years may be admitted to the office of a Reader, but such must be chosen and admitted by the Superintendent, as for their gravity and discretion may grace the function that they are called unto. These Readers who have some gift of exhortation, and have long continued in the course of godlinesse, we think may have 100. Marks or more, at the discretion of the Church appointed for them; yet a difference must alwayes be kept betwixt them and the Ministers that labour in word and ministration of the Sacraments.

Rests two sorts of people who must be provided for of that which is called *the Partrimony of the Church*; to wit, the poor, and the Teachers of the youth. The poor must be provided for in every Parish, for it is a shameful thing that they should be so universally contemned, and despised. Not that we are Patrons to stubborne and idle beggers, who running from place to place make a craft of begging; for those we think must be compelled to work, or then punished by the Civil Magistrate. But the poor widows, the fatherlesse, the impotent maimed persons, the aged, and every one that may not work, or such persons as are fallen by occasion into decay, ought to be provided, and have their necessities supplied by the Parish where they were borne, or have remained for any long space.

Of Superintendents.

Because it is found expedient for the erecting and planting of Churches, and appointing of Ministers, that at this time there be selected ten or twelve Superintendents, we have thought good to design their bounds, set down their office, the manner of their election, and causes which may deserve deposition from their charge.

The Dioces of the Superintendents, and places of their residence.

The Countrey of *Orkney* shall have a Superintendent, and for his Dioces the Isles of *Orkney*, with the countreys of *Cathnes* and *Strathnaver*; his residence to be in the Town of *Kirkwall*.

The Superintendent of *Ross*, his Dioces shall comprehend *Ross*, *Southerland*, *Murray*, with the North Isles of *Sky*, and *Lergis*, and their adjacents; his residence should be in the Chanonry of *Ross*.

The Superintendent of *Argyle* shall have for his Dioces *Argyle*, *Cantyre*, *Lorne*, the South Isles of *Arrane*, and *Boole*, with the Isle adjacent, and the countrey of *Lochquaber*; his residence to be in *Argyle*.

The Superintendent of *Aberdene*, his Dioces shall comprehend all betwixt *Dye* and *Spey*, that is, the Sherifdom of *Aberdene* and *Bamff*; his residence to be in old *Aberdene*.

The Superintendent of *Brichen* shall have for his Dioces the Sherifdomes of *Mernis*, *Angus*, and the Bray of *Marre* unto *Dey*, and keep his residence at *Brichen*.

The Superintendent of *Fife* shall have for his Dioces the Sherifdomes of *Fife*, *Fotheringham*, and *Perth* unto *Striveling*; his residence shall be in *S. Andrews*.

The Superintendent of *Lothian* his Dioces shall comprehend the Sherifdomes of
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Lothian, Striveling, Mers, Lawtherdale; and Stow of Twaddale; his residence to be in Edinburgh. An. 1560.

The Superintendent of *Fedburgh* shall have for his Dioces *Teviotdale, Tweddale,* and the Forrest of *Attrick*; his residence to be in *Fedburgh*.

The Superintendent of *Glasgow* his Dioces shall comprehend *Clyddisdale, Ranfrew, Monteith, Kile, and Cunningham*; his residence to be at *Glasgow*.

The Superintendent of *Dunfreis* shall have for his Dioces *Galloway, Carrick, Niddisdale, and Annandale*, with the rest of the Dales in the West; his residence to be at *Dunfreis*.

These men must not be suffered to live idle as the Bishops have done heretofore, neither must they remain where gladly they would, but they must be Preachers themselves, and remain in one place above three or four moneths: after which they must enter in visitation of their whole bounds, preach thrice a week at least, and not to rest till the Churches be wholly planted, and provided of Ministers, or at the least Readers.

In their visitation they must trie the life, diligence, and behaviour of the Ministers, the order of their Churches, and the manners of their people, how the poor are provided, and how the youth is instructed; They must admonish where admonition needeth, and dresse all things that by good counsel they are able to compose; finally they must take note of all heinous crimes, that the same may be corrected by the censures of the Church.

Of the election of Superintendents.

Such is the present necessity, that the Examination and Admission of the Superintendents cannot be so strict as afterwards it must; for the present therefore we think it sufficient, that the Council nominate so many as may serve the Provinces above written, or then give Commission to men of best knowledge, who have the fear of God to do the same. The Gentlemen and Burgeses of Towns within the Dioces, being alwayes made privy at this time to the election; as well to bring the Church in practice of her liberty, as to make the Pastor better favoured of the flock, whom themselves have chosen.

If so many able men cannot be found at the present, as necessity requireth, it is better that those Provinces wait till God provide, then that men unable to edifie and govern the Church, be suddenly placed in the charge: experience having taught, what ills have bin engendred in the Church by men unable to discharge their offices.

If any Superintendent shall depart this life, or happen to be deposed, the Minister of the chief Town within that Province, with the Magistrate and Council, the Elders and Deacons of the said Town, shall nominate the Superintendents of two or three Provinces next adjacent, within the space of twenty dayes, two or three of the most godly and learned Ministers within the Realm, that from among them with publick consent one may be elected to the office then vacant. The twenty dayes expired, and no man presented, three of the next adjacent Provinces, with consent of their Superintendents, Ministers, and Elders, shall enter into the right and privilege of the chief Town, and shall present one or two, if they list, to be examined according to the order, and it shall be lawfull for all the Churches within the Dioces, within the same time to nominate such persons as they esteem worthy election.

After the nomination made, publick edicts must be sent forth, warning all men that have any objections against the persons nominated, or against any one of them, to appear in the chief Town at the day affixed, which we think should be thirty dayes after the nomination, and declare what they have to say against the election of any one of them.

The day appointed for the election being come, the Ministers of the Province, with the Superintendents next adjacent, shall examin the learning, manners, prudence, and ability to govern the Church, of the whole persons nominated, and cause them publickly to preach, to the end he that is most worthy, may be bur-

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thened with the charge; And then they shall give their voices according to conscience, and not out of affection: It must be considered, whether the objection be made of malice, or out of a zeal to Gods glory, and the weal of the Church. Other ceremonies then this examination, the approbation of Ministers and Superintendents, with the publick consent of Elders and people, we do not admit.

The Superintendent so elected, must be subject to the censure and correction of the Ministers, and Elders of his chief Town, and whole Province, over which he is appointed: and if he be found negligent in any of the chief points of his office, especially if he be found negligent in preaching the word, or in visitation of his Churches, and if he be convicted of any of these crimes, which in a common Minister are condemned, he must be deposed, without respect of his person or office.

If his offence be publick, and the Ministers and Elders of the Province negligent in correcting him; then the next one or two Superintendents, with their Ministers and Elders, may convene him, providing the same be within his own Province or chief Town, and inflict the censure that his offence deserveth.

No Superintendent may be translated at the pleasure or request of any one Province, without the Council of the whole Church, and that for grave causes, and considerations.

After the Church shall be established, and three years are past, no man shall be called to the office of a Superintendent, who hath not two years at least given a proof of his faithful labours in the ministry of some Church.

Of Schools, and the necessity of them.

Seeing men now adayes are not miraculously gifted, as in the time of the Apostles, for the continuance of knowledge and learning to the generations following, especially for the profit and comfort of Christs Church; it is necessary that care be had of the virtuous and godly education of youth: wherefore we judge that in every Parish there should be a Schoolmaster, such a one as is able at least to teach the Grammar, and *Latin* tongue, where the Town is of any reputation. But in Landwart, where people convene to Doctrine only once in the week, then must either the Reader or the Minister take care of the youth of the Parish, to instruct them in their rudiments, especially in the Catechisme of *Geneva*.

In every notable Town, chiefly in the Town of the Superintendent, we think that a Colledge should be erected, wherein at least the arts of Logick and Rhetorick, with the Tongues, should be taught by sufficient Masters, for whom honest stipends must be appointed. And that provision should be made for such youths as are poor, and cannot be brought up in letters by their friends: the commodity whereof will be great, when the children are brought up in the presence of their friends, by whose good attendants their necessities may be supplied, and many inconveniences avoided, that youth commonly runneth into, when they are sent to strange and unknown places. The exercise likewise of children in the Church, cannot but serve greatly to the instruction of the aged and unlearned.

The great Schools called *Universities*, should be replenished with those that be apt for learning: for no father of what condition or estate soever he be, ought to use his children after his own fantasie, especially in their youth; but all must be compelled to bring them up in knowledge and virtue. The rich must be exhorted, and by the censure of the Church compelled, to dedicate their sons to the profit of the Church and Commonwealth, training them up in godly exercises upon their own expences, and the children of the poor must be sustained upon the charge of the Church, till it be tried whether they be apt for letters and learning or not.

If they be found to be docile, and have good ingenies, they may not be permitted to reject learning, but charged to follow their studies, that the Commonwealth may reap some comfort by them: and for this purpose the Minister and Elders, with the best learned in every Town, must be appointed to examine at the end of every quarter, the youths, and see how they do profit.

A certain time must be appointed to reading and learning of the Catechisme ; a certain time to the Grammar, and Latine tongue ; a certain time to Arts and Philosophy ; and a certain time to the other tongues and studies which they intend to learn. That time expired, some craft and profitable exercise ; Providing alwayes they have learned first the Commandements, the Articles of the Belief, the right form to pray unto God ; the number, use and effect of the Sacraments ; and that they may be instructed touching the natures and Offices of *Jesus Christ*, and other such points as without the knowledge of them they neither deserve to be called Christians, nor ought to be admitted to the participation of the Lords Table.

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The time appointed to every course.

Two years we hold more then sufficient for learning to read perfectly, to answer to the Catechisme, and get some entrance in the rudiments of Grammar. Three or foure yeares more we allow for attaining to the perfection of Grammar. To the Arts, that is, *Logick*, *Rhetorick*, and the *Greek* tongue, we allow other four years, and the rest of 24. years to be spent in that study wherein they intend to serve the Church or Common-wealth, be it in the Laws, Physick, or Divinity. After which time of 24 years being spent in the Schools, they must be removed to serve the Church or Common-wealth, unless they be found necessary Professors for the Colledge or University.

The erection of Universities.

We think it necessary that there be three *Universities* in the Realm ; one in *St. Andrews*, another in *Glasgow*, and the third at *Aberdene*. In the first and principall *Universitie*, which is *St. Andrews*, that there be three *Colledges* ; and in the first *Colledge* there be four *Classes* ; The first for new Supposts, to whom *Dialectick* only shall be taught ; the next *Classe* shall have the *Metaphysicks* only read ; the third *Physick*, and the fourth *Medicine*. In the second *Colledge* shalbe two *Classes*, whereof the first shall be for morall *Philosophie*, and the second for the *Laws*. In the third *Colledge* likewise two *Classes*, the first for the *Greek* and *Hebrew* tongues, and the second for *Divinitie*.

Of Professors, and of the Degrees of time and Studies.

In the first *Colledge* and first *Classe* there shall be a Reader of *Dialectick*, who shall compleat his course thereof in one year. In the second *Classe* a Professor of *Mathematicks*, who shall reade to the Students *Arithmetick*, *Geometry*, *Cosmography* and *Astrology*, the space of another year. In the third *Classe* a Professor of naturall *Philosophy*, who shall accomplish his course likewise in one year. After which three years, those that shall be found by triall sufficiently grounded in the foresaid Sciences, shall be Laureat and Graduate in *Philosophy*. In the fourth *Classe* there shall be a Reader of *Medicine*, who shall compleat his course in five years ; After the study whereof such as are found sufficient upon examination, shall be Graduate in *Medicine*.

In the second *Colledge* and first *Classe* thereof a Reader of *Ethicks*, *OEconomicks* and *Politicks*, whose course shall end in one year ; In the second *Classe* shall be two Readers of the *Municipall* and *Roman* Lawes, who shall finish their course in four years ; after which time those that are found sufficient, shall be Graduate in the Lawes.

In the third *Colledge* and first *Classe* a Reader of the *Hebrew* and another of the *Greek* tongue, who shall compleat the Grammars thereof in half a year ; the rest of the year the Reader of the *Hebrew* shall interpret some Books of *Moses*, of the Prophets, or Psalms, so that his course shall continue one year : the Reader of the *Greek* shall interpret some Book of *Plato*, together with some Book of the *New Testament*, and shall finish his course the same year. In the second *Classe* there

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shall be two Readers of *Divinitie*, one of the *New Testament*, and another of the *old*, who shall finish their course in five years. After which time those that are found sufficient shall be Graduate in *Divinitie*.

None shall be admitted into the first *Colledge*, and be made Suppott of the *Universitie*, unless he have from the Master of the School, and Minister of the Town, where he was instructed in the Latine tongue, a testimony of his learning, docilitie, age, and parentage.

Those that have bin taught the *Dialectick* shall be examined by the Rector and Principalls, and being found to have profited therein, shall be promoted to the *Classe* of the *Mathematicks*.

None shall be admitted to the *Classe* of *Medicine*, but he that shall be known to have spent his time well in *Dialectick*, *Mathematick* and *Physick*, and shall have a testimoniall of his docilitie in the last.

None admitted to the *Classe* of *Laws*, but he that shall have a testimoniall of his time well spent in *Dialectick*, *Mathematick*, *Ethick*, *OEconomicks*, *Politicks*, and of his docilitie in the last.

And to the *Classe* of *Divines* they onely shall be admitted that bring a sufficient Testimoniall of their time well spent in *Dialectick*, *Mathematick*, *Physick*, *Ethick*, *OEconomick* and *Politick Philosophy*, the knowledge of the *Hebrew* tongue, and of his docility in *Divinity*.

Such as will apply themselves to hear the *Laws* shall not be compelled to hear *Medicine*, neither shall such as apply themselves to hear *Divinity* be compelled either to hear *Medicine* or the *Laws*.

The second *University* at *Glasgow*, shall have two *Colledges*. In the first whereof shall be three *Classes*; one for *Dialectick*, another for *Mathematick*, and a third for *Physick*; And in the second *Colledge* shall be four *Classes*, one for morall *Philosophie*, *Ethicks*, *OEconomicks*, and *Politicks*; another for the *Municipall* and *Romane* *Laws*; the third for the *Hebrew* tongue, and the last for *Divinity* to be ordered according to the *University* of *St. Andrews*.

The third *Universitie* at *Aberdene* shall be conform to the *University* of *Glasgow* in all points.

Unto every *Colledge* there must be elected forth of the body of the *University*, a Principall, who must be a man of learning, discretion and diligence; he shall receive the whole rents of the *Colledge*, and distribute the same according to the erection of the *Colledge*, adjoyning to himself weekly one of the Professors; he shall hearken dayly the Diet compts, and oversee the policy and buildings of the house, attend that the Professors be diligent in their severall readings to the youth, and shall weekly keep a meeting with the whole Members of the *Colledge* for punishment of faults that shall happen to be committed, and shall yearly be countable to the superintendent Rector and rest of the Principalls, who shall convene to that effect the first of *November*.

The election of the Principall shall be in this sort, within eight dayes after the place falleth void, the members of the *Colledge* being sworn to follow their conscience shall nominate three of the most sufficient men of the *University*, not being Principalls already, who shall be publickly propounded through the whole *University*; This done, the Superintendent by himself, or his speciall Procurators, with the Rector and the rest of the Principalls, shall convene within eight dayes after, and choose one of the three whom they think most sufficient, being sworn before to do the same without favor or partiall affection.

There shall be in every *Colledge* a Steward, Cook, Gardiner and Porter, who shall be subject to the Principall as are the rest.

Every *University* shall have a Beddall, who shall be subject to serve at all times the *University* at the direction of the Rector and Principall.

There shall likewise a Rector be chosen in every *University* from year to year on this manner. The Principalls of the *Colledges* with the whole Regents chapterly convened shall be sworn to nominate every man speaking in his own room, such a one as in his conscience he thinketh to be most sufficient for that charge and dignity;

dignity; and of those who shall be most often nominated there shall be put in lite 15. dayes before *Michaelmas*, and upon the eve of *Michaelmas* the whole Principals, Regents and Supposts graduated, or who have studied the *Ethicks*, *O Economicks* and *Politicks*, and noothers, every nation having protested to follow the Dictate of their own Conscience, shall nominate one of the said three, and he unto whom most voices are given, shall be confirmed by the Superintendent and Principals, who shall take his oath for lawfull administration, and the oath of the rest of the *Univerſitie*, for their submission and obedience; after which he shall put on a new garment, and be presented to the *Univerſitie*. *Inſignia Magistratus* being born before him, monethly he shall visit every *Colledge*, and trie how the exerciſes of Reading be kept; his aſſeſſours shall be a Lawyer and Theologue, by whose advice he shall decide all Civill questions betwixt the Members of the *Univerſitie*. If any without the *Univerſitie* purſue a Member thereof, or be purſued by any Member of the ſame, he shall aſſiſt the Provost and Bailies and other Judges competent to ſee juſtice miniſtred, and that as well in civill as criminall cauſes.

We think it expedient that in every *Colledge* of the whole *Univerſities* there be 24. Burſars divided equally in the *Classes* above ſpecified; that is, in *St. Andrewes* 72. Burſars, in *Glaſgow* 48. in *Aberdene* as many; theſe shall be ſuſtained onely in meat upon the charges of the *Colledge*, and not be admitted but upon triall taken by the Miniſterie of the Town, and Principalls of the *Univerſitie*, as well touching their own docility, as if their parents be able to entertain them or not,

Of Stipends, and the expences neceſſary.

The ſummes needfull for the ordinary charges, we judge may be as followeth.

Imprimis, for the ſtipend of the Profeſſors of *Dialectick*, *Mathematick*, *Phyſick* and *Morall Philoſophy*, for each of thoſe 100l. *Item*, for the Profeſſor of *Medicine*, and *Lawes* 200. marks. *Item*, to the Reader of the *Hebrew* and *Greek* tongues, and *Divinity*, 200l. *Item*, to every Principall 200l. *Item*, to every Steward for his fee 16l. *Item*, to every Gardiner, Cook and Porter 10. marks. *Item*, to the ſuſtentation of every Burſar, that is not in the *Claffe* of *Theologie* or *Medicine*, 20l. *Item*, to the Burſars in theſe *Classes* 24l. *Summa* of the yearly and ordinary expences in the *Univerſitie* of *St. Andrewes*, extendeth to 3796l. *Summa* of the yearly and ordinary expences of *Glaſgow*, extends to 2922l. *Summa* of *Aberdene* 2922l. *Summa* of the whole ordinary charges is 9640l.

For the payment of theſe ſummes we think the Temporalties of Biſhopricks and Churches Collegiat ought to be deſtinated ſo farre at leaſt, as the ſame charges do require.

The Beddale ſhall have for his ſtipend 2s. of every Inſtant and Suppoſt of the *Univerſitie*, of every Graduate in *Philoſophy* 3s. of the Graduate in *Medicine* 4s. and 5s. of the Graduate in *Theology*, Burſars in theſe ſtudies only excepted.

For upholding the fabrick this order would be taken, that every Earls ſon at his entry ſhall give 40s. with ſo much at his graduation; Every Lords ſon 30s. The ſon of a Baron 20s. the ſon of a Burgeſs or ſubſtantious Gentleman 10s. and the ſons of all others, Burſars excepted, 5s. Theſe moneys being collected ſhall be put in a common box, and committed to the keeping of the Principall, and upon the 15. day of *November* yearly in the preſence of the Superintendent, Rector and whole Principals the ſame ſhalbe opened, the moneys counted, and by their conſents reſerved or employed upon building or repairing, as the neceſſity of the fabrick ſhall require.

Of the Priviledge of the Univerſity.

Seeing innocency ſhould rather defend us then priviledge, we think that every perſon ſhould anſwer before the Provost and Bailies of the Town, where the Univerſity is, upon all actions they are called for, ſo as the Rector be aſſeſſor to the

An. 1560. the Magistrates therein; If the question be betwixt members of the University, the party called is not held to answer but before the Rector, and his assessors; in all other causes of civil pursuit the general rule of law is to be observed, *Actor sequatur forum rei.*

The Rector and all inferiour members of the University must be exempted from all taxes, imposts, charges of warre, or any other burthens that may abstract them from attending the youth, such as Tutor, Curatory, Executory, and the like.

As for other things that may concern the Students and Masters such as the choice of books to be read in every Classe, and such other particulars, they are to be left to the discretion of the Principal and Regents, and their Council.

The sixth head of the Rents and Patrimony of the Church.

TWO sorts of men, that is, the Preachers of the word, and the poor, besides the Schools, must be sustained upon the rents of the Church; wherefore it would be considered how, and of what the same is to raised. For to our grief we hear that some Gentlemen are now more rigorous in exacting the tithes, and other duties paid before to the Church, then ever the Papists were, and so the tyranny of Priests is turned into the tyranny of Lords or Lairds; for this we require, that the Gentlemen, Barons, Lords, Earls, and others, be content to live upon their own rents, and suffer the Church to be restored to her right and liberty, that by her restitution the poor that heretofore have been oppressed, may now receive some comfort and relaxation.

It is a thing most reasonable that every man have the use of his own tithes, providing that he answer the Deacons and Treasurer of the Church, of that which shall be reasonably appointed unto him, and that the uppermost cloth, the Corpsement, the Clerkmale, the Pasche-offerings, Tith-ale, and other the like exactions be discharged for ever. And because not only the Ministers, but also the poor and Schools must be sustained upon the Tithes, we think it more expedient, that Deacons and common Treasurers of the Church be appointed to receive the whole rents appertaining thereto, then the Ministers themselves: And that commandment may be given that no man either receive, or intromet with any thing belonging to the sustentation of the foresaid persons, but such as shall be appointed thereto by the Church.

If any shall think this prejudicial to those that possesse the tithes by vertue of leases, we would have them know, that unjust possession is no possession before God; and that those of whom they acquired their right, were thieves and murderers, and had no power to alienate the Patrimony and common good of the Church: yet do we wish recompence to be made to such as have debursed summes of money to these unjust possessors, so that the same had not been given of late, in prejudice of the Church, or no collusion used. For which purpose we think it expedient that whosoever have the titles of any Church in part or whole, be warned to produce his right, that cognition being taken thereof, a reasonable recompence may be given them, before the years that are to run; the profits of years past deduced, and considered, so that the Church in end may receive her liberty and freedom.

The tithes that we think must be lifted for the use of the Church, are the tithes of hay, hemp, lint, cheefe, fish, calf, veal, lamb, wool, and all sorts of corn. But because these will not suffice to discharge the necessities of the Church, we think that all things dotate to hospitality in times past, with all annual rents both to Burgh and Land, pertaining to Priests, Chanteries, Colledges, Chaplaineries, and Friars of all orders, to the sisters of the Seynes, and all other of that sort, be retained to the use of the Church or Churches within the Towns or Parishes where they were founded: likewise the whole revenues of the temporalities of Bishops, Deans, and Archdeacons; with all rents of lands pertaining to Cathedral Churches, which must be applied to the entertainment of Superintendents, and Universities. And further, we think that Merchants and Craftsmen in free Burghs, who have nothing

to do with manuring the ground, ought to make some provision in their Cities and Towns, and dwelling places for the support of the Church, and necessities thereof. An. 1560.

The Ministers, and failing of them, the Readers must be restored to their Manſes and Gleibs, without which they cannot ſerve nor attend their flocks, and where any Gleib exceedeth fix acres of land, that which is more ſhall remain with the poſſeſſor, till further order be taken.

The Deacons or Treasurers appointed to collect theſe rents, muſt be choſen yearly in every Pariſh by the common conſent of the Church, they may not diſtribute any part of that which is collected, but by the command of the Miniſters and Elders, who muſt command any thing to be delivered but as the Church hath before determined. That is, the Miniſters to be firſt paid either quarterly, or from half year to half year, of the ſummes allowed to them, the Schoolmaſters, Readers, and Hoſpitals, if any be.

If any extraordinary ſummes muſt be diſburſed, then the Miniſters, Elders, and Deacons are to conſult whether the ſame ſtands with the profit of the Church or not; and if they do agree, they may do as beſt ſeemeth unto them. But if there be controverſie amongſt themſelves, the whole Church muſt be made privie, and the reaſons heard; their judgement with the Miniſters conſent ſhall prevail.

The Deacons ſhall make their Accompts to the Miniſter and Elders of that which they have received, and the Elders when they are changed (which muſt be every year) ſhall clear their accompts before ſuch Auditors as the Church ſhall appoint. And both the Deacons and Elders being changed, ſhall deliver to them that are newly elected, all ſummes of money, corns, or other profits reſting in their hands; the tickets whereof muſt be delivered to the Superintendents in their viſitations, and by them to the great Councel of the Church, that as well the indigence, as abundance of every Church may be known, and ſo a reaſonable equality may be kept through the whole Realm.

The ſeventh head concerning the Cenſuring of offenders.

AS no Commonwealth can flouriſh, or long endure without good laws and ſharp execution of the ſame: ſo cannot the Church of God be purged, or yet retained in purity without the order of Eccleſiaſtical diſcipline; This ſtandeth in reprov- ing and correcting thoſe faults, which the Civil ſword doth either neglect, or may not puniſh.

Blasphemy, Adultery, Murther, Perjury, and ſuch capital crimes fall not properly under the cenſure of the Church, becauſe ſuch open tranſgreſſors of Gods law, ſhould be taken away by the Civil ſword. But Drunkenneſſe, Exceſſe, whether in apparel or in meat and drink, Fornication, oppreſſion of the poor by exactions deceit in buying and ſelling, by wrong mete and meaſure, wanton words and licentious living tending to ſlander, do properly appertain to the cenſure of the Church, which in the order and caſes following we judge ſhall be obſerved.

If the offence be ſecret and known by few, and be rather ſurmized then that it be manifeſtly proved, the offender ought to be privately admoniſhed, and if he promiſe to amend, the cenſure ſhall not proceed any further.

If he contemn the admonition that is given him, or after promiſe walk als uncircumſpectly as before, the Miniſter ought to call and rebuke him, and if he be diſobedient, proceed according to the rule of Chriſt.

In faults publick and hainous, ſuch as Fornication, Drunkenneſſe, Fighting, common Swearing, and Execration, the offender muſt be called before the Miniſter, Elders, and Deacons, and have his ſin laid out before him; whereof if he ſhew himſelf penitent, and require to be admitted to publick ſatisfaction, a day ſhould be appointed for his appearance before the whole Church, to teſtify the repentance which before he profeſſed; which if he accept, and with reverence perform, he ought to be received again in the ſociety of the Church: for the Church of God muſt not be more rigorous, then God declareth himſelf to be: who witneſſeth, that *whenſoever*

An. 1560. Soever a sinner doth unfainedly repent and turn from his wickednesse, that he will not remember his iniquity any more.

If the offender be obstinate and shew no signes of repentance, he must be dismissed with an exhortation, to consider his dangerous estate, and assured that if he do not shew no tokens of amendment, a more severe course will be taken. If within a certain space he manifest his repentance to the Minister, he may be presented before the Congregation, and received in manner aforesaid. But if he shall continue in his impiety, then it must be signified to the congregation, that such offences are fallen out amongst them, the committer thereof rebuked and desired to repent, whereof as yet no tokens are given, and they requested to call unto God for touching the heart of the offender (whose fault ought to be expressed, but not his name) with remorse that he may truly and earnestly be converted.

If he notwithstanding continue in his contempt, his name must the next day of the publick meeting be notified to the congregation, and the most discreet and nearest of his friends or acquaintance entreated to deal with him earnestly, that he may be brought to the knowledge of the fault, and solemn prayers made for his conversion to God.

The third Sunday the Minister shall require, if the impenitent hath declared any signes of his repentance; and it being found that he hath done the same, a day shall be affixed to him for appearing before the Consistory, where if he shew himself penitent, as well of the crime, as of his long contempt, he shall be received upon publick satisfaction in manner before prescribed.

But if no man signifie his repentance, then the Minister by consent of the Elders and Deacons, and at commandment of the Church, shall pronounce the offender excommunicated from God and from the society of his Church. After which sentence no person may have any kind of conversation with him, (his wife and family only excepted) in eating, drinking, buying, selling, saluting, or conforming with him, unlesse the same be licensed by the Ministry; that he finding himself abhorred of the faithful and godly, may take occasion to repent, and so be saved.

This sentence as being the most heavy censure which can be inflicted by the Church, ought not to be rashly used, but for great causes, and due processe of time kept; but being pronounced, ought with all severity to be maintained, and intimation thereof made through the whole Realm, lest any should pretend ignorance of the same.

His children begotten or born after the sentence and before his repentance, may not be admitted to Baptisme, till either they be of age to require it, or else the mother, or some of his special friends members of the Church, present and offer the childe, abhorring and damning the iniquity of his parent. If any do think it rigorous thus to punish the childe for the fathers offence, let them understand that the Sacraments appertain only to the faithful and their seed; and that such as contemn the admonitions of the Church, and obstinately continue in their iniquity, cannot be reckoned amongst the faithful.

Murderers, manslaughterers, adulterers, and committers of the like horrible crimes, whom the Civil sword ought to punish with death, if they shall be permitted to live, shall be holden excommunicate and accursed in their fact. The offenders being first called, and the order of the Church used against them in the same manner, as the persons who for their obstinacy are publicly excommunicated, so the obstinate impenitent after the sentence of excommunication, and the murderer or adulterer shall stand in one case as concerning the judgment of the Church, and neither of both admitted to prayers or Sacraments (howbeit they may be present at the preaching of the Word) till first they offer themselves to the Minister and Elders, requesting humbly their prayers, and desiring them to intercede with the Church for their admission to publick repentance.

Upon this humble request signification shall be given to the Church of the same, the first day of publick preaching, and the congregation exhorted to pray unto God, that he will perform the work which he appeareth to have begun in the heart of the offender, by granting him unfained repentance of his sin, with a sense and feeling

feeling of his mercy. Thereafter a day shall be publickly assigned unto him him to make open confession of his crime and contempt. At which time he must appear in presence of the congregation, and confessing the same desire mercy of God, and intreat them to accept him in their society.

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The Minister shall try diligently if he find in him an hatred and displeasure of his impiety committed, and as he findeth, so to comfort him in the hope of Gods mercies; but especially is to see that he be instructed in the knowledge of *Iesus Christ*, in the article of Justification, and offices of *Christ*; for it were a mocking of God to receive him to repentance, who knoweth not wherein his remedy standeth, when he is grieved for sin.

If he shall perceive him to be reasonably instructed, and humbly disposed, then shall he demand of the congregation, if they be willing to receive that creature of God, (whom Satan had before drawn in his snare) into their society, which they yielding unto, (as justly they may not deny the same) then ought the Minister to crave the assistance of the Churches prayers in behalf of the penitent; and prayer ended, exhort them to receive him again in their favours, in token whereof the Elders, and one or two of the Congregation shall take him by the hand, and embrace him in the name of the whole Church.

This done, the Minister shall exhort him who is received to walk circumspectly in time coming, lest Satan catch him again in his snares, advertising him how that enemy will not cease to try all means possible for bringing him from the obedience that he hath given to God, and his Ordinance. And after the exhortation shall give again publick thanks to God for the conversion of that their brother, and pray for increase and continuance of his grace to him, and the whole congregation.

Unto this discipline the whole estates of the Realm, as well the Rulers, as they that are ruled, and the Preachers themselves, as well as the poorest within the Church, must be subject; the Ministers especially, because they as the eye and mouth of the Church should be most irreprehensible.

The eighth head concerning Elders and Deacons.

MEN of best knowledge, of purest life, and most honest conversation that can be found in every Church, must be nominated for these offices, and their names publickly read unto the congregation, that from amongst those some may be chosen to serve as Elders and Deacons. If any be nominated, who is noted with publick infamy, he must be repelled; for it is not seemly that the servant of corruption should have authority to judge in the Church of God: or if any man know others that are of better qualities within the Church, then those who are nominated, the same shall be joyned to the others, that the Church may have the choice. If the Churches be few in number, so as Elders and Deacons cannot conveniently be had, the same Church may be joyned to the next adjacent; for the plurality of Churches without Ministers and order doth rather hurt, then edifie.

The election of Elders and Deacons ought to be made every year once, which we judge most convenient to be done the first of *August* yearly, lest men by long continuance in those Offices presume upon the liberty of the Church. And yet it hurteth not, if a man be retained in office more years then one, so as he be appointed yearly thereto by common and free election: Providing alwayes that the Deacons, and Thesaurers of the Church be not compelled to receive again the same Office for the space of 1. years. How the suffrages shall be given and received, every severall Church may take the order that seemeth best to them.

The Elders being elected must be admonished of their Office, which is to assist the Minister in all publick affairs of the Church; to wit, in judging and discerning of causes, in giving admonition to licentious livers, and having an eye upon the manners and conversation of all men within their charge: for by the gravity of the Elders the loose and dissolute manners of other men ought to be restrained and corrected. The Elders ought also to take heed to the life, manners, diligence and study of their

Ministers

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Ministers ; And if he be worthy of admonition, they must admonish him ; if of correction, they must correct him ; and if he be worthy of deposition, they with the consent of the Church and Superintendent may depose him.

The Office of Deacons is to receive the rents, and gather the Almes of the Church, to keep and distribute the same as they shall be appointed by the Ministry and the Church ; yet they may also assist in judgement the Minister and Elders, and be admitted to read in publick Assemblies, if they be called, required and found able thereto.

The Elders and Deacons, with their wives and families, must be subject to the same censure, that Ministers are subject unto ; for they are Judges to the manners of others, and therefore they must be sober, humble, entertainers of concord and peace amongst neighbours ; and finally, an ensample of godlyness to the rest of the flock : whereof if the contrary appear, they must be admonished by the Minister or some of their brethren, if the fault be secret ; but if it be open and known, they must be openly rebuked, and the same order kept with them that is prescribed against Ministers offending. We think it not necessary that any publick stipend be appointed either to the Elders or Deacons, because their travell continueth but for a year ; as also because they are not so occupied with the affairs of the Church, but that they may have leisure to attend their private busines.

Of the Censure and Deposition of Ministers.

If a Minister be of a loose conversation, negligent in his study, and one that waiteth not on his charge and flock, or one that proponeth not fruitful doctrine to his people, he ought to be admonished by the Elders, and if he amend not, the Elder may complain to the Ministry, till his repentance appear ; but if any Minister be deprehended of any notable crime, as whoredome, adultery, murther, man-slaughter, perjurie, heresie, or any such as deserveth death, or any inferre the note of infamy, he ought to be deposed for ever. By *heresie* we understand pernicious doctrine plainly taught, and obstinately defended against the foundation and principall grounds of Christian faith. Such a crime we judge to deserve perpetuall deposition from the Ministry, knowing it to be a thing most dangerous to commit a flock unto a man infected with heresie.

Some faults deserve deposition for a time ; as if a Minister be deprehended drunken, if he be a brawler, or fighter, an open slanderer, a defamer of his neighbours, factious and a sower of discord ; till he declare himselfe penitent, and give some assurance of better conversation, upon which the congregation shall attend the space of twenty dayes or longer, as they shall think expedient, before they proceed to a new election.

Every inferiour Church should notifie by one of their Elders, and one of their Deacons to the Superintendent, the life, manners, study and diligence of their Ministers, that the discretion of some may correct the levitie of others. Neither must the life and manners only of their Ministers come under censure, but also of their wives, children and family.

It must likewise be adverted, that the Minister neither live riotously nor avaritiously, and a respect had how he spendeth his stipend : for if a reasonable stipend be appointed him, he must live accordingly, because avaritiousness and solicitude of money is no less to be damned in *Christs* servants, especially those who are fed at the charge of the Church, then is excess and superfluity.

We judge it unseemly for Ministers to live in common Alehouses or Taverns ; neither must a Minister be permitted to frequent the Court, unless it be for a time when he is either employed by the Church, or called by the Authority to give his counsell and judgement in any matter : Neither yet must he be one of the council in Civil affairs, be he never judged so apt for the purpose ; but either must he cease from the Ministry (which at his own pleasure he may not do,) or else in bearing charge in Civil affairs, except it be to assist the Parliament when the same is called.

The ninth bead concerning the Policie of the Church.

WE call the *Policie of the Church* the exercise of Religion in such things as may help to bring the ignorant to knowledge, or else promote in them that are more learned, a further growth of grace, or otherwise such things as are appointed for keeping things in good order within the Church, whereof there be two sorts, the one utterly necessary, as that the Word may be truly preached, the Sacraments rightly administered, common Prayers publickly made, children and simple persons instructed in the chief points of Religion, and offences corrected and punished. These things we say are so necessary, that without the same there cannot be any face of a visible Church.

The other sort is profitable, but not merely necessary, as that Psalmes be sung, and certain places of Scripture read, when there is no Sermon; or that the Church should convene this or that day in the week to hear Sermons. Of these and the like, we see not how a certain Order can be established: For in some Churches the Psalmes may be conveniently sung, in other perhaps they cannot; some Churches may convene every day, some twice or thrice in the week, and some it may be but once: In these and the like every particular Church may appoint their own policy themselves. Yet in great towns we think expedient, that every day there be either Sermon or Common-Prayer, with some exercise of reading the Scriptures. The day of publick Sermon, we do not think the Common-Prayers needfull to be used, lest we should foster the people in superstition who come to the Prayers, as they come to the Mass, or give them occasion to think that those are no Prayers which are conceived before and after Sermon.

In every famous town we require that one day besides the Sunday be appointed for Sermon, during the time whereof men must abstain from all exercise of trade and labour, the servant as well as the master. In smaller towns such order must be kept as the Churches within the same shall appoint, but the Sunday in all towns must precisely be observed, before and after noon. Before noon the Word must be preached, Sacraments administered, and marriage solemnized when occasion doth offer. After noon the Catechisme must be taught, and the young children examined thereupon, in audience of all the people: In doing whereof the Minister must have care to cause the people understand the questions propounded, with the answers and doctrine, that may be collected thereof.

What order shall be kept in teaching the Catechisme, and how much thereof every Sunday shall be handled; the distinctions of the Catechisme it self, which is the most perfect that ever was yet used in any Church, do shew. Where there is neither Preaching, nor Catechisme upon Sundayes at afternoon, the Common-Prayers ought to be used.

It appertaineth to every Church, to appoint the times when the Sacraments should be ministered: Baptisme may be ministered whensoever the Word is preached, but we think it more expedient that the same be ministered upon Sunday; and when occasion is offered of great travell before noon, the same may be ministered in the afternoon; upon the week dayes onely after the Sermon, partly to remove that gross error, which may hold that children dying without Baptisme are damned, partly that the people may assist the ministration of the Sacrament with greater reverence then commonly they do.

Four times in the year we think sufficient for Administration of the Lords Table, which we desire to be so distinguished that the superstitious observation of times may be avoyded so far as may be: for it is known how superstitiously people run unto that action upon *Easter*, as if time gave virtue to the Sacraments, when as the rest of the whole year they are careless and negligent, as though it belonged not unto them, but at that time only. Therefore we think it expedient that the first Sunday of *March* yearly be kept for one day to that service: The first Sunday of *June* for another: The first Sunday of *September* for the third: and the first Sunday of *December* for the fourth.

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Albeit we deny not, but every Church for reasonable causes may change the time, and minister the same oftner; yet we think the Sacrament of the supper ought never to be ministred without examination preceding, chiefly of those who are known, or suspect to be ignorant; and that none ought to be admitted to that holy mystery, who cannot formally say the Lords Prayer, the Articles of the Belief, declare the summe of the Law, and understandeth the use and vertue of that holy Sacrament.

We also think necessary, that every Church have a Bible in English, and that the people convene to hear the Scriptures read and interpreted, that by frequent reading and hearing the gross ignorance of the people may be removed. And we judge it most expedient, that the Scriptures be read in order: That is, that some one Book of the New and Old Testament be begun, and followed forth to the end. The like we esteem of preaching, if the Minister remain for the most part at one place. For the divagation from one place of Scripture to another, whether it be in reading or preaching, we account not so profitable for the Church as the continuall following of one Text.

The Masters of Families must be commanded to instruct, or cause to be instructed, their children and servants in the Principles of Christian Religion, without the knowledge whereof, they may not be admitted to the Table of the Lord; wherefore we think it needfull that every year at least the Ministers take triall by publick examination of the knowledge of every person within the Church; and that every master and mistres present themselves, and so many of their family as are come to mature age, before the Minister and Elders to give confession of their Faith, rehearse the Commandements of the Law, with the Lords Prayer, and declare what is their understanding in those things. If any shall suffer their children or servants to remain in wilfull ignorance, the censures of the Church must be used against them unto excommunication, and then the person referred to the Civil Magistrate. For seeing the just man liveth by his own faith, and that *Christ Jesus* justifieth by knowledge of himself, it is intolerable that any should be permitted to live as Members of the Church of God, and yet to continue in ignorance.

Moreover, all persons would be exhorted to exercise themselves in the Psalmes, that when the Church conveneth, and the Psalmes be sung, they may be the more able with common heart and voice to praise God. In private houses it were expedient that the most grave and discreet person of the family should use Common-Prayers at morning and night.

Of the exercise of Prophefying or Interpretation of the Scriptures.

It was a custome in the Church of *Corinth* at some times when they did assemble and meet together to read a place of Scripture, whereupon one first gave his judgement for the instruction and consolation of the Auditors; after whom another did either confirm what the former had said, or adde that which he had omitted, or correct and explain more properly the place, or text. Liberty was also given to a third man to speak, if the whole truth had not been revealed by the former; and above the number of *three*, it seemeth, none were allowed to speak, as we reade in the 1 Cor. 14.29. where we have these words; *Let the Prophets speak two or three, and let the other judge. And if any thing be revealed to another that sitteth by, let the first hold his peace: for ye may all prophesie one by one, that all may learn, and all may have comfort. And the Spirits of the Prophets are subject to the Prophets.* This exercise we think to be most necessary for the Church this day in *Scotland*, because thereby the Church may have triall of the knowledge, gifts and utterance of every man within their own body. The simple and those who have somewhat profited, shall be encouraged to proceed in their studies, and the whole Church shall be edified, every man that list to hear and learn, being permitted to declare his mind and knowledge for the comfort of the rest.

But lest this exercise that is so profitable might turn into debate or strife, these rules must be observed.

1. All curious and unprofitable questions must be avoyded.
 2. All interpretations that are against the Analogy of faith and against charity, or that seem to contain an open contradiction to other manifest places of Scripture, are to be rejected.

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3. The interpreter may not take to himself the liberty of a Preacher (although he be appointed and received a Minister) but he must keep him to his text, and not break out by digression into Common places.

4. He may use no invectives in the exercise, unlesse it be in confuting of heresies.

5. He must be short in his admonitions and exhortations, and spend the time allowed him in opening the mind of the holy Ghost in that place, shewing the dependence of the Text, and observing such notes as may edifie the auditor.

6. Neither he that interpreteth, or any of the assembly ought to move any question in open audience, which he doth not presently resolve without disputing with another; but every man must shew his own judgement, and utter it to the edification of the Church.

7. If any be noted of curiosity, or bringing in of strange doctrines, he must be admonished by the Ministers and Elders, after the interpretation is ended.

8. The whole Ministers, with those that are of the assembly, ought to convene and judge how the persons have interpreted the text, and how they have handled and intreated the matter; during which time the person should be removed, till every man hath given his censure. After which the persons being called in, they should be gently admonished of their escapes, if any they have made; and then should all questions and doubts be resolved amongst them, without any contention.

The exercise would be kept in every town, where Schools, and repaire of learned men are, upon a certain day of the week, which, together with the books of Scripture that they shall think most profitable to be intreated, we referre to the judgement of the Ministers and Elders of the particular Church where they convene. The Ministers to Landwart, and Readers, so as they have gift of interpretation, lying within six miles of the Town, must assist and be present at the exercise, that either they may learn themselves, or others may learn by them.

Moreover, whosoever are esteemed to have any gifts that may edify the Church, must be charged by the Ministers and Elders to joyn themselves with that company of interpreters, to the end the Church may know whether they be able to serve in the vocation of the Ministry, or not. And if any be found disobedient, and unwilling to communicate their gifts with their brethren, the censures of the Church should be used against such, providing that the consent and authority of the civil Magistrate be interrponed thereto: for no man should be permitted to live as it pleaseth him within the Church, but constrained to bestow their labours where it is thought they may serve to the edification of others.

Of Marriage.

Marriage ought not to be contracted amongst persons that lack judgement to choose. Therefore we think that children and infants cannot be lawfully married in their lesse age, that is, if the man be within 13. years of age, and the woman within 12. at least.

If any have been married within those years, and kept their bodies pure and unconjoyned with others, we think not that such can be compelled to adhere as man and wife by reason of any former promise; but if after the years of judgement they have embraced one another by virtue of the last consent, having ratified the promise made by others for them in their youth, the same should be held as married persons.

Publick inhibitions should be made, that no persons under the power and obedience of Fathers, Tutors, and Curators, either men or women, contract marriage

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privately, and without the knowledge of those, to whom they live subject under the power of the Church censure; for if any son or daughter be moved towards a match, they are obliged to ask the counsel and assistance of their parents for performing the same. And though the Father notwithstanding their desires, have no other cause then the common sort of men have; to wit, lack of money, or because they are not perhaps of such a lineage and birth, as they require; yet must not the parties make any Covenant, till the Ministry or civil Magistrate be acquainted therewith, and interpose their request for the Parents consent; which if they cannot obtain, finding no just cause why their marriage ought not to proceed, in that case they sustaining the place of the Parent may consent to the parties, and admit them to marry; for the work of God ought not to be hindered by the corrupt affections of worldly men. We call that the work of God, when two hearts, (without filthiness before committed) are so joyned, that they are content to live together in the holy band of matrimony.

If any commit fornication with the woman whom he requireth in marriage, then both of them do lose the foresaid benefit, as well of the Church, as of the Magistrate; for neither of them ought to be intercessors for filthy fornicators.

The Father, or nearest friend, whose daughter being a virgin is deflowred, may by the law of God compell the man who hath done the injury, to marry his daughter, yet if the Father by reason of the offence will not consent to the marriage, he may in that case require the dowry of his daughter, which if the offender be not able to pay, he ought to be punished in his body by the Magistrate, with some other punishment.

In a reformed Church marriage ought not to be privately used, but in open face and presence of the Church: Also for avoyding dangers, we think it expedient that the banes be proclaimed three Sundayes, unlesse the persons be well known, and that no suspicion of peril can arise, and then may the Proclamation be shortned at the discretion of the Minister. But in no ways can we admit marriage to be secretly used, how honourable soever the persons be, and therefore esteem Sunday before Sermon, the most convenient time for celebration of marriage, and that it ought not to be used upon any day else, without the consent of the Ministry.

Marriage once lawfully contracted, may not be dissolved at mans pleasure, (as our Saviour doth witnesse) unlesse adultery be committed; which being sufficiently proved in the presence of the civil Magistrate, the innocent party (if they require it) ought to be declared free, and the offender put to death, as God hath commanded. But if the life of the offender be spared, yet may not the Church be negligent in their duty, which is to excommunicate the wicked, and pronounce the innocent party free. And not the lesse, if the offender shew any fruits of penitency, and earnestly desire to be reconciled to the Church, he may be received to the participation of the Sacraments, and other benefits of the same.

If any shall demand, whether the offender after reconciliation may again marry or not; we answer, that if they cannot live continent, and if the necessity be such, as that they fear to fall of new into the offence of God, we cannot deny them the remedy appointed. If the party offended may be reconciled to the offender, then in no case we judge it lawful to the offender to marry another, and the solemnization of their marriage must be of new in the face of the Church, but without the Proclamation of the banes. This we offer as the best counsel that God giveth us in so doubtful a case; howbeit we judge the best reformation were to preferre Gods Commandment, and punish those crimes, as he requireth, with death.

Of Burial.

Burial hath been had in estimation in all ages, to signify that the body which is committed to the earth shall not utterly perish, but rise again in the last day; but this we would have done without vain and superstitious rites, devised for making gain,

gain, and advantage; such as singing of Masses, Diriges, and all other prayers for the dead; which custom is plainly repugnant to the Scriptures of God, for it is manifest, that they who depart in the faith of *Christ Jesus*, rest from their labours, and so go from death to life; as on the other side, they who depart in unbelief, shall never see life, but the wrath of God abideth upon them. For avoiding all inconveni-
 ents, we judge it best, that neither singing nor reading be at the burial; for albeit these things may admonish the living to prepare themselves for death, yet superstitious and ignorant persons may think that some profit thereby cometh to the dead. Herefore we think it most expedient, that the dead be accompanied to the place of burial with some honest neighbours, without either singing or reading, and without all kind of ceremonies formerly used: so that the bodies be committed to the grave in such decent and seemly manner, as they who are present may be warned to fear the judgements of God, and to hate sin which is the cause of death: yet we are not so precise in this, but that we are content that particular Churches with consent of the Minister, do that which they shall find most fitting, as they will answer to God, and the Assembly of the universal Church within the Realm.

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We are not ignorant that some require a Sermon at the burial, or else some places of Scripture to be read for putting the living in mind that they are mortal, and that they likewise must die; but let these men understand, that the Sermons which are daily made, serve for that use, which if men despise, funeral Sermons shall rather nourish superstition, then bring such persons to a right consideration of their own estate. Further, the Ministers shall this way be for the most part occupied in preaching funeral Sermons, or else they shall have respect of persons, preaching at the funeral of the rich and honourable, and keeping silence, when the poor and despised die; which the Minister with a good conscience cannot do, seeing there is no respect of persons with God: And whatsoever they do to the rich, in respect of their Ministry, the same they are bound to do to the poorest under their charge.

Churches appointed for preaching and ministration of the Sacraments, ought not to be made places of Burial. But for that use some other convenient ground is to be appointed, lying in the most free aire, and kept to that use only; which we think should be well walled and fenced about.

For Reparation of Churches.

Lest the word of God, and ministration of the Sacraments should come in contempt through the unseemliness of the place, where these exercises are used, we think it needful that the Churches where the people publicly convene, be repaired with expedition, and repaired in such fashion as may agree with the Majesty of the word of God, and serve to the ease and commodity of the people. The preparation would be according to the possibility and number of Churches; every Church having close doores, windowes of glasse, thatch or slate to defend the people from rain, a bell to convocate them, a pulpit, a bason for baptizing, and a table for ministration of the Lords Supper. Where the congregation is great, reparation must be made within the Church for the commodious receiving of the people; and the expenses raised partly of the people, and partly of the tithes, at the consideration of the Ministry. But because we know the sloth of men in these businesses, and in all other affaires which redound not to their private commodity, strict charge would be given for the reparation aforesaid within a certain day, and penalties inflicted upon the contemners.

For punishment of those that profane the Sacraments.

It hath been the policy of Satan to draw mankind into one of two extremities; either to hold men gazing upon the visible elements, so as forgetting the end for which they were appointed, they do ascribe unto them a saving virtue and power, which they have not; or then to cause them despise the Ordinance of God, as though there was no profit in the right use thereof, nor any danger in the profanation. In

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time of blindnesse the holy Sacrament was gazed upon, kneeled unto, carried in procession, and worshipped as *Christ* himself: and then men stood in such admiration of the idol in the Masse, that none durst have presumed to have said Masse, nor have ministered the Sacraments but Priests, and those of the shaven sort. Now men are so bold, as without all vocation to minister the Sacraments in open Assemblies; and some presume to do it in houses without all reverence, where there is neither Minister nor Word preached. Our desire is that some strict punishment be inflicted upon such abusers; which albeit we will not take upon us to prescribe, yet we fear not to say, that both of them deserve death. For if he who falsifyeth the seal and subscription of a King, be adjudged worthy of death, much more he that falsifieth the seal of *Christ Jesus*, who is the Prince of all the Kings of the earth. King *Darius* gave out an edict, that he who did let the reedifying of the material Temple in *Jerusalem*, should have some wood taken out of his house, and be himself hanged thereupon; And what shall we think those do merit, who manifestly do hinder the building of the spiritual temple, and the edifying of the souls of Gods people, by the true preaching of the Word, and right administration of the Sacraments?

The Papistical Priests have neither power nor authority to minister the Sacraments of *Christ*, because in their mouths God hath not put the word of exhortation: And it is not shaving of their crowns, the crossing of their fingers, the blowing of the dumb dogges, called the Bishops, nor the laying on of their hands, that maketh them true Ministers; but the Spirit of God first moving the heart to enter in the holy calling, then the nomination of the people, the examination taken by the learned, and publick admission in manner aforesaid, are the things that make men lawful Ministers of the Word and Sacraments. We speak of the ordinary vocation in Churches reformed, and not of the extraordinary, whereby God is pleased sometimes to raise up men by himself for doing his work. Therefore notwithstanding the usurpation they have made in time of ignorance, inhibition would be given them in the strictest manner, not to presume upon the like hereafter; as likewise to all others who are not lawfully called to the holy Ministry.

This was the policy desired to be ratified; It had been framed by *John Knox*, partly in imitation of the reformed Churches of *Germany*, partly of that which he had seen in *Geneva*; whence he took that device of annuall Deacons for collecting and dispensing the Church rents, whereof in the sixth head he speaketh; I cannot say, A Noble man being askt his judgement thereof; answered, that it was a devout imagination, wherewith *John Knox* did greatly offend; yet was it no better then a dream, for it could never have taken effect. The Church men that went before had been provident enough in these matters, and good it had been for these that succeeded to have kept fast that, which they found established to their hand, as the Archbishop of *St. Andrewes* did at the same time advise them. For he imploying *John Brand*, a Munk of *Halyrudhouse*, (who served many years after Minister at the *Canongate*) to go unto *John Knox*, willed him to say from him, *That albeit he had innovated many things, and made reformation of the Doctrine of the Church, whereof he could not deny but there was some reason; yet he should do wisely to retain the old policy which had been the work of many ages, or then put a better in place thereof, before he did shake the other. Our Highlandmen, he said, have a custome, when they will break young Colts, to fasten them by the head with strong tethers, one of which they keep ever fast, till the beast be thoroughly made. The multitude, that beast with many heads, would just be so dealt with. Master Knox, I know, esteemeth me an enemy, but tell him from me he shall finde it true that I speak.*

The advertisement of the Archbishop of *St. Andrewes* sent to *John Knox*.

A direction for demolishing Cloysters and Abbey Churches.

The Estates alwayes, not thinking it meet to enter at that time in examination of the policy, deferred the same to a more convenient season, onely an Act was passed for demolishing Cloysters, and Abbey Churches, such as were not as yet pulled down; the execution whereof was for the West parts committed to the Earles of *Arrane*, *Argile*, and *Glencarn*, for the North to Lord *James*, and for the in-countries to some Barons that were held most zealous.

Thereupon

Thereupon ensued a pitifull vastation of Churches, and Church buildings throughout all the parts of the Realm; for every one made bold to put to their hands; the meaner sort imitating the ensample of the greater, and those who were in authority. No difference was made, but all the Churches either defaced, or pulled to the ground. The holy vessels, and whatsoever else men could make gain of, as timber, lead and bells, were put to sale. The very Sepulchres of the dead were not spared. The Registers of the Church, and Bibliothèques cast into the fire. In a word; all was ruined, and what had escaped in the time of the first tumult, did now undergo the common calamity; which was so much the worse, that the violences committed at this time, were coloured with the warrant of publick authority. Some ill advised Preachers did likewise animate people in these their barbarous proceedings, crying out, *That the places where idols had been worshipped, ought by the Law of God to be destroyed, and that the sparing of them, was the reserving of things execrable*; as if the commandement given to Israel for destroying the places where the Canaanites did worship their false gods, had been a warrant for them to do the like. The report also went, that *John Knox* (whose sayings were by many esteemed as Oracles) should in one of his Sermons say, *That the sure way to banish the Rookes, was to pull down their nests*: which words (if any such did escape him) were to be understood of the Cloysters of Monks and Friars only, according to the Act passed in the Councell. But popular fury once armed can keep no measure, nor do any thing with advice and judgement.

After the convention dissolved notwithstanding of the answer given concerning the Book of Policy, diverse Noblemen and Barons moved by *John Knox* did convene, and set their hands to the same. The subscribers were, the Duke of *Chattellerauld*, the Earl of *Arrane*, *Argile*, *Glencarn*, *Marshall*, *Menteith*, *Moreton*, and *Rothes*, Lord *James*, the Lord *Yester*, *Boyd*, *Ochiltree*, *Sanguibar*, and *Lindesay*, the Bishop of *Galloway*, the Dean of *Murray*; the Lairds of *Drumlanrigge*, *Lonchivar*, *Garlees*, *Barguenev*, and divers Burgesses; with this provision adjected, *That the Bishops, Abbots, Priors, and other beneficed men, who had joyned themselves to the Religion, should enjoy the rents of their benefices during their lives, they sustaining the Ministers for their parts, as was prescribed in the said book*. But all this turned to no effect, for the Churchmen that were Popish took presently a course, to make away all the Manfes, Gleibs, Tithes, and all other rents possessed by them, to their friends and kinsmen; and most of these that subscribed, getting into their hands the possessions of the Church, could never be induced to part therewith, and turned greater enemies in that point of Church Patrimony, then were the Papists, or any other whatsoever.

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All the Churches under this pretext spoyled and defaced.

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THE HISTORY

of the CHURCH

OF

SCOTLAND.

THE FOURTH BOOK.

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He Queen preparing to return home was taken with the Feaver tertian, and forced to stay at *Fanville* some moneths. In the end of *June* she came to *Paris*, where *Francis* Earle of *Bedford*, (who was sent from *England* to condole King *Francis* his death) did in the name of his Mistress salute her, and after some gratulatory speeches for her recovery, propone the ratification of the contract made at *Leth*, entreating the performance of it. The Queen thanking her sister for her kindness, answered, *That she was not as yet in perfect health, but hoped shortly to be well. Touching the ratification, she said, that she remembred the business, but could give no resolute answer, till she had the advice of the Nobles, and estates of her own Realm. For though the matter concerned her principally, yet the same did touch them also: and they having shewed themselves displeased in former times, because she did not take their advice in affairs, would now be much more offended, if she should proceed in that matter, not having first acquainted them therewith. But as she trusted, the same should not be long a doing, seeing she intended to make her voyage shortly home. The Ambassadour replying, that there was no cause to doubt of their consents in that particular, the accord being made by themselves. It was made, said the Queen, by some of them, not by all; and when I come amongst them, it will appear what minde they are of. But I will send Monsieur d'Oysell to my sister, who shall give her I trust good satisfaction, and by him I will signifie that I am to go into Scotland, and will require those favours of her that Princes do one to another in the like cases.*

Soon after this she sent *Monsieur d'Oysell* into *England* with a direction, that after he had done this message unto the Queen, he should go into *Scotland*, and take order that the Garrisons kept in the castle of *Dunbar*, and the Isle of *Inchkeith* should keep those Forts untill she were safely arrived. But the Queen of *England* taking ill the delay of the ratification, answered him in the hearing of all the attendants; *That except the Queen of Scots did confirm the conditions agreed upon at Leth, wherein she found her self still frustrated, there could be no perfect amity amongst them; and if she would do that, the kindness which became a Queen her cousen and neighbour, should not be wanting on her part. This she desired him to report, and leave his journey unto Scotland, for that she would not permit the same through her Countrey.*

The Queen of *Scots* highly offended with this answer, did call *Nicholas Throgmorton*, the Ambassador Legier of *England*, and kept a long conference with him about these matters, which out of the Ambassadors own letters sent to the Queen his Mistress I shall relate. Commanding her attendants to go aside, she brake forth in these speeches: "How great soever my weakness be, I like not to have so many witnesses of it, as your Queen of late had, when she talked with *Monsieur d'Oysel*. And now I must tell you, that nothing grieves me more, then that I should have desired a thing of her that I stood in no great need of: having Gods favour, I can return to my Countrey without her leave, as I came hither, against the will of King *Edward* her brother. Neither do I lack friends, that both will and may convey me safely thither; yet I desire rather to try her friendship then any others. Oftentimes you have said, that it were good both for our selves, and for our Kingdoms, that we should live friends and keep kindness one to another, but it seemeth not that she is so minded, otherwise she would never have returned me such an answer. It is like she favoureth my rebellious subjects more then me; yet she should with reason think that my subjects who have rebelled against me, will never be so trusty and loving to her, as I my self. My friends do marvel what her purpose could be in assisting my Subjects against me; and now to hinder my return unto my own Countrey being a widow. I know not what it should mean; I work her no trouble, I have no meddling with the affairs of *England*; and yet I know there be numbers in that Countrey who are not well contented with the present times; I require nothing of her but amity, and friendship, and this I cannot have. She objects to me, that I have small experience of the world; It is true, that years bring experience, yet I am of that age that I know how to carry my self towards my friends, and well-willers; I will not use many speeches unworthy of her, but let me with her good leave say, that I am a Queen as she is, that I have as good friends, and as good a stomach as her self. But comparisons they say are odious, therefore I will contain my self.

"For that treaty at *Leth*, wherewith she so troubleth her self, it was made whilest the King my husband was alive, to whom according to my duty I was in all things obsequent. That he delayed to ratifie the accord, it was his fault, not mine. After his decease the Councell of *France* left me to my own Counsellors, neither would my uncle meddle in *Scottish* affairs, lest they should offend. The *Scots* that are here with me, are not Counsellors, neither can I deliberate with them in weighty matters: as soon as I have consulted with the Estates of my Kingdom, I shall give her a reasonable answer; and that she may have it the sooner, I shall haste my journey homewards. But she perhaps will belay my way, and so impede her own satisfaction; and it may be she desireth no satisfaction of her demands, that there may be alwayes some occasion of jarring and discord amongst us. She casteth often in my teeth, that I am young and unadvised; and so she might justly think me, if I should treat of matters of such importance, but as now I will not reason that point. This I may truly say, that I never did any thing to my sister, which I would not have done to my self. I have alwayes performed the duty of a kinswoman unto her, but she doth either not believe it, or then despiseth my friendship. Would to God I were as dear to her, as I am near of blood, for this were a precious sort of kindred; but God forgive them, if there be any that stirreth up these contentions amongst us. You are her Ambassador, let me know what is it offendeth her, or in what word or action I have wronged her.

Hereunto *Throgmorton* answered. *Madam, I have no Commission to your Majesty, but for the ratification of the treaty at Leth; yet if you will have me to shew what I think be the cause of my Mistressse offence, I will tell it in few words, but not as an Ambassador. How soon the Queen my Mistress was crowned, you usurped the Title and Arms of England, which during Queen Maries reign you never attempted; and a greater injury could not be offered to a Prince then that was. But saith she, My father in law and husband, who lived both at that time, commanded me so to do: after they were deceased, and since I have been at mine own liberty, I have neither used her Armes, nor Titles. And yet I see not what wrong it can be to me, who am a Queen; and had to my grandmother*

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The Queen of Scots offended with it.

Her conference with Nicholas Throgmorton.

The Queen of Scots reasons for delaying the ratification.

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mother the eldest sister of King Henry the eight, to use the Armes of England, seeing others more remote in blood have done the like. The Marques of Exeter, and Dutches of Suffolk Neece unto Henry the eight by his youngest sister, did bear the Armes of England, with borders for a difference, and should it be imputed as an injury to me so to do? But well I see, (so she concluded) that nothing I do is taken in good part.

The Queen of
England's letter
to the Nobility.

The Queen of England in the mean time falling in some jealousie of the Lords of Scotland, because of that which the Queen had said, that the treaty at Leth was not made by all their consents, and that when she should be amongst them, it would appear whether they continued in the same mind, sent a letter full sharpnes of to the Nobility and Council; wherein after an ample declaration of the friendship done to them, in the late aid they received against the French, she complained of the delays made in the ratification of the accord past at Leth, which as it seemed by their Queens words, was in their default, seeing she had said, that before she gave a resolute answer in that matter it behoved her to know their mindes, whereof she could not be ignorant, so many of themselves being with her of late, and messengers going daily betwixt them; therefore she desired to know, if they did minde to keep the peace contracted, and if they continued in that mind, that they should procure the Queen to ratifie it, at least to advertise her, what she might look for at their own hands.

The Councils
answer.

This letter was speedily answered by the Council, with great attestations that it came never in their mindes to break the peace contracted; for in so doing they should make themselves infamous in the world, and sin highly against their consciences. Of the delay which their Queen made, and the reasons thereof, they professed to be ignorant. Therefore intreated her Majesty to be perswaded of them, that next to the glory of God they would study to keep the peace inviolate, and that there should be no blame in them, if the ratification was not made to her contentment.

Her conference
with the Eng-
lish Ambassa-
dour at Abba-
ville.

Whilest these things passed at home, the Queen of Scots set forward to Callais, attended by the Cardinals of Loraine and Guise, the Dukes of Guise and d' Aumarll, the grand Prior, and the Marques d' Elbeuf her Uncles, the Duke of Nemours, Monsieur d' Anville the Constables son, and divers others her friends and kinsmen. At Abbaville which is in the way to Callais, she sent for the English Ambassadour, and asked him, by what means she might satisfie Queen Elizabeth. He answered, by ratifying the Treaty of Leth. To whom she replied, I have very just reasons to refuse it, which ought not to be interpreted as delays. For first, that treaty should have been confirmed by my husband and me, and cannot now be ratified, unlesse it be concluded in my own name alone, seeing the King then my husband, is expressly named in the accord. Next, the most of the Articles are performed, for all preparations of warre are ceased, and the French called back from Scotland. But the Queen offendeth, said she, that I use the title and arms of England. This I have not done since my husbands death: And if it be alledged, that the same is used in Letters Patents given me through France; it is known I cannot hinder that, for they who pass those letters are not my subjects; And for the Articles concerning Religion, I trust my own subjects shall have no cause to complain of my severity. Thus what I may do, I will, to give my sister satisfaction. And I pray you Monsieur l' Embassadeur, do the part of an Ambassadour, and rather pacify the Queen, then exasperate her in any sort. So earnest she was to have all matters of quarrel laid aside, fearing that the Queen of England should seek to intercept her by the way: and indeed a Navy was put to Sea, under colour of suppressing Pirates, but the taking of one of the ships wherein were the Earl of Eglinton, and other passengers, made it suspected that a worse thing was meant. Alwayes it fell out so, that the Queen of Scots, having a prosperous wind, passed by the English ships, (the weather being foggy) unperceived, and after the sixt day, after her embarking, which was the 20. of August, 1561. did safely arrive at Leth.

The Queen
arriveth at Leth.

The Nobility
assembles to
congratulate
her return.

The fame of the Queens coming noised abroad, the Nobility from all the parts of the Realm assembled to congratulate her return, and besides them numbers of all sorts of people convened, as unto a joyful spectacle: for they had not seen the face of their Sovereign for many years, and after her marriage with the French King, had scarce any hope of a King to reside amongst them: which would most certainly have

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have happened, if any succession had followed of that marriage. For *Scotland* in that case would have been but an accession to *France* the mightier Kingdome; as *Henry* the seventh foretold of *England* (and we have seen it verified in our days) drawing unto it the weaker and lesser Crown. That the Queen therefore was now returned, and they delivered of the fears of redacting the Kingdom into a Province, they did justly esteem it one of the greatest benefits that could happen unto them. Then, when they called to mind the variableness of fortune, how she left a pupill of six dayes old only by the death of her Father, was exposed as a prey to those that were most mighty, and partly by civil seditions at home, partly by the invasions of external enemies from abroad, even before she could have any sense of trouble, was forced to forsake her countrey, and relegated as it were into exile, having hardly escaped the hands of enemies that lay in wait to intercept her, and the violence of tempestuous and raging seas. And again when fortune began to smile a little upon her, and she was honoured with a royal Marriage, how these joyes on the suddain came to be changed into extreme sorrows; being first deprived of her mother, then of her husband; a new Kingdome lost, and her ancient crown which belonged to her by inheritance, standing in a state very uncertain: whilest I say they called to mind these variable fortunes, and therewith considered the excellencies that nature had bestowed upon her, as the beauty and comeliness of her person, her mild inclination, and gracious demeanour toward all sorts of people, it cannot be told what a joy and love this begat in the hearts of all the subjects.

The beginning of her government was likewise very gracious, for some few dayes after her arriving in a Council kept with the Nobility to remove the occasions of trouble she condescended, that no change nor alteration should be made in the present state of Religion; only she would use her own service, as she said, apart with her family, and have a Masse in private. This was thought by many a thing not intolerable, considering she was the Sovereign Princeesse of the Realm, and educated from her youth in the *Romane* faith, from which there was hope, by better instruction, and humble and courteous behaviour, she might be reclaimed: yet the Preachers in their Sermons did publickly condemn that toleration as unlawful. And amongst the Nobility, the *Earl of Arrane* did oppose it, taking protestation that he did neither agree to private nor publick Masse: which highly displeased the Queen, and was thought to have alienated her affection, that before seemed much inclining towards him.

No change to be made in religion, and a private Masse permitted to the Queen.

The Earl of Arran opposeth

There fell out upon this an Accident, which was like to have caused great trouble. The Queen purposing to hear Masse the next day in her Chappel of *Halirud-house*, whilest the tapers and other things required to that service were carried through the Court, one of the common sort invading him, that bore the waxe lights, brake them all in pieces, and if by the intervention of some more moderate spirits the tumult had not been repressed, the rest of the furniture had been wholly spoiled, and that day Masse disappointed. It was held a proud and insolent fact, and condemned by many; others said that the patience of men was too farre tempted; and some maintained that if right were done, the Priest according to Gods law made against idolaters, ought to suffer death. But this stirre was quickly appeased by Lord *James*, much against the *Earl of Huntley*: his mind, who by this occasion thought to win credit with the Queen, and in conference with her Uncles bragged, that if the Queen pleased to use his service, he would reduce all the North countries to the *Romane* profession. But his courses being suspected, and the Queen misliking all counsels that tended unto trouble, no heed was given to his offers.

A tumult in the Abbey.

The moneth following was spent in the entertainment of the *French* that had accompanied the Queen homewards, they made but short stay in the countrey; For about the middest of *September*, Duke d' *Aumarll* returned unto *France* by Sea, the grand Prior, and *Monsieur d' Anville* took their journey through *England*, the *Marquesse d' Elbeuf* of all that company only remained, and abode all the Winter with the Queen.

The Nobles that came from France with the Queen, return home.

In this mean time was *William Maitland* of *Lethington* directed to the Queen of *England* with letters both from the Queen, and from the Nobility. The Queens letters

William Maitland directed to *England*.

An. 1501.

The Queen of
Englands an-
swer.

letters were full of kindnesse, tending all to expresse the love and affection she bare unto her, as to her dearest sister and kinswoman and the desire she had to continue in true and sincere friendship with her. The letters sent by the Nobility were to the same effect; but containing this more, *That the surest way to preserve friendship and true amity amongst them two, was to declare the Queen of Scots her nearest and lawful heir to the Crown of England in case she should have no issue.* Lethington urging this last point strongly as he was commanded, after he had used his best persuasions to that effect, was answered by the Queen of England, as followeth. *I did expect another message from your Queen, then this is which you have brought me, and do marvel that she should forget the promise made before her coming out of France, touching the ratification of the treaty of Leth; which was, that how soon she returned to her own countrey, she should give me a full and resolute answer. I have long enough, said she, suffered my self to be abused with fair speeches, and now it had been time, if she had regarded her own honour, to have made good her promises.* Lethington replied, that within a few days after the Queen took land, he was imployed in this legation, and that she had no leasure to deal in any publick matters, being taken up with admitting the Noblemen that came to welcome her into the Realm, and with the settling of the estate of Religion, which her Majesty understood to be a work of no small weight, neither were all the Noblemen whose advice she must take in matters of that importance come into the Court, before his parting from it. Here the Queen interrupting his speech, said, *What need is there of advice or counsel, to do that which by her subscription and seal she is bound to perform?* He answered, that no commission was given him in that matter, nor did his Mistresse think that any accompt thereof would have been required of him, but that she might justly excuse her self by the occasions he had mentioned. Then after a few more speeches of that purpose, the Queen returning to the chief point of his legation, said, *I have observed that you have often in your discourse said, that your Queen is descended of the blood Royal of England, and that I am obliged to love her, as being nearest to me in blood of any other, which I neither will or can deny. Neither have I in any of my actions (as the world knoweth) attempted ought against the safety and tranquillity of her, and her kingdom; yea they that be most inward with me, can witness that even when I had just cause of offence given me, by her usurpation of the Titles and Armes of England, I could never be induced to think other, then that this was the politick device of some enemies, to breed dissension amongst us. But howsoever that be, I hope so long as I live, she shall not bereave me of my Kingdom, nor yet be able, if God shall bless me with children, to impede their succession. And if it shall happen otherwise that I be taken away, she shall never find that I have prejudged the Right which she claimeth to the Kingdom of England. what a right it is I have never been curious to know, nor do I purpose to search and examine it, but will leave the same to the cognition of those whom it concerneth. This your Queen may assuredly expect at my hands, that I shall never wrong her, nor her cause, if it be just, in the least point. And God I take to witness, who heareth this our conference, that next my self, I know not any whom I would preferre to her, or who (if the title should fall to be controverted) might exclude her. You know, saith she, who the competitors be: but alas, what power or force have these weak creatures to attempt so great an enterprise? alwayes the matter it self is weighty, and of great importance, which I will take time to think upon.*

A second conference with
Lethington.

After some few dayes, calling Lethington unto her, she said, "That it seemed strange to her, how the Nobility at the Queens first coming should put up such a request to her, seeing they knew there was no reparation made of former wrongs, and to desire, saith she, that I should gratify their Queen, having received so great an injury, without any amends made, is it not in effect as much as to boast and threaten men if they will take such a course? I would have them think that I am strong enough for them at home, and lack not friends abroad that will maintain and defend my right. Hereto he replied, That in his first speech he had clearly discovered the intention of the Noblemen, how partly out of that duty, which they owed to their Sovereign, and the defence of her honour, partly out of a desire to confirm and assure the peace begun betwixt the two Realmes, they had made this motion; and that the reason why they dealt so plainly with her, was not

only the experience they had of her favour in times past, but also the respect of their own safety. For if any should oppose the Queens right, and thereupon wars should arise betwixt the two Kingdomes, they must needs be driven to hazard their lives and estates. Wherefore they thought that their motion was not to be ill taken, seeing it tended to the cutting off the occasions of disagreement, and composing differences by a firm and certain peace.

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“ True, *said she*, If I had attempted any thing to the hurt of your Queens right, they might with reason have required me to amend it. But when I am yet in health and life to desire me to prepare mine own winding sheet, is a thing without example, nor hath the like ever been required at the hand of any Prince: yet I take in good part the meaning of your Lords, and am glad of the good affection they beare to their Queen, and the care they have to advance her honour. I think it likewise wisdom in them to foresee the dangers they may run into, and like well that they do abhorre the shedding of Christian blood, which I confesse could not be avoided, if any faction should arise, and lay claim to the Crown. But where, or what is that faction, or what force can they have? Alwayes leaving these things, suppose I had an inclination to satisfy their desire, think you that I would rather gratify your Lords herein then the Queen her self? No, I will tell you, I have many other reasons that stay me from taking such a resolution. First, I know what a dangerous thing it is to touch this string, and I have ever upon great respects abstained from bringing in question the right of the Crown; for so often hath the controversie of marriage lawful and unlawful, of legitimate and base-born children, been agitated according as mens affections and humours led them, that even in regard of those disceptations I have hitherto forborne to match with any husband. Once at my Coronation I was married to this Kingdom, whereof alwayes I carry this ring for a pledge, (*pointing to a ring she wore on her finger*) And howsoever things go, I shall be Queen of *England* so long as I live; when I am dead, let them succeed who have the best right. If your Queen hath it, I shall not wrong her in the least point, and if it belong to another, it were not reasonable to desire me to do them an open and manifest wrong. If there be any law, which may barre her title, it is unknown to me, for I do not willingly think of these matters; but if there be any such, when I received the Crown, I sware to my people that I should not change their lawes.

The Queen of
Englands re-
ply.

“ Now where you say, that by declaring your Queen my successor, our affection should become more firm; I rather fear, that it should be the seed of a most bitter hatred. For think you, that I will behold willingly the preparation of mine own funerals? It is natural to Princes to be jealous even of the children that by Birth-right are to succeed them. How did *Charles* the seventh of *France* carry himself towards *Lewis* the eleventh, and he again towards *Charles* the eighth, or King *Francis* of late towards *Henry* who succeeded him? and is it probable, that I should be otherwise disposed towards my Cousen, if once she shall be declared heir unto my Crown? No, be sure I shall have the very same mind which *Charles* the seventh shewed to *Lewis* the eleventh.

The Queen of
Englands rea-
sons for her
refuse.

“ There is another thing which I esteem of an exceeding great weight; I know the unconstancy of the people, how they loath alwayes the present government, and have their eyes continually set upon the next successor: and naturally they are moe that look, as it is said, to the Sunne rising then to the setting of the Sun. To omit other examples, this I know by mine own experience; when my sister Queen *Mary* reigned, how earnestly did a number wish to see me placed in her Throne? what a desire had they of my advancement? if I had but given my countenance to their practises, they would have refused no peril in bringing the same to effect. Now it may be the same persons are not of the same mind towards me, as children that dream that apples are given them are greatly joyed, but in the morning when they are awaked, and find themselves deceived, they fall a weeping; so they who loved me exceedingly when I was but called *Elizabeth*, and if I perhaps gave them any good countenance, thought with their selves, that how soon I was made Queen, they should be rewarded rather according to

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“ their own conceipt, then any service done unto me, now when they find that the
 “ issue answereth not their expectation, some of them, it may be in hope of a better
 “ fortune, would not dislike a change of the government. For the greatest wealth
 “ that ever any Prince had, or can have, is not able to satisfie the unsatiable covetousness
 “ of men. And if this be our case, that the affection of our people is so easily
 “ changed, when we keep a greater moderation in our largesses, then they
 “ think we ought, or perhaps for some other light cause they grow discontented,
 “ what may we think shall come to passe, when seditious people have a certain
 “ successor designed, to whom they may open their griefes, and betake themselves, if
 “ they be in any sort displeased? In what a peril think you I should live, having so
 “ mighty neighbour Princes to succeed me: to whose grandor look how much I shall
 “ add by confirming her succession, so much I shall detract from mine own security.
 “ This peril no caution can assure, nor the bonds of any lawes avert. Princes also
 “ who live in expectation of Kingdomes, do hardly contain themselves within the
 “ limits of right and reason: surely I my self would never think my estate assured,
 “ if once my successor were known to the world. This is the summe of that which
 passed at this second audience.

Lethingtons
third audience.

Not many days after getting access, he askt the Queen, what answer she would give to the Nobility? she said, *At this time, I have no answer to give, but that I approve the affection and sedulous care they have of their Sovereigns good estate, but the matter is of such weight, as I cannot on a suddain, or directly answer it. When your Queen shall perform her promise concerning the treaty of Leth, it will be time to require a proof of my affection towards her; till then I cannot with safety of mine honour gratify her in any thing.*

Lethington replied, as before, that he had no Commission in that business, and that in the matter of succession he had shewed more his own judgement, then the mind of the Queen his Mistress; for he could never think the confirmation of the treaty of Leth, to be a thing of that importance, as for the delay or refusal of that, the Queen of Scots and her posterity should be excluded from the succession of the Crown of England. “ Neither will I now, saith he, enquire by whom that treaty was concluded; at what time, in what manner, by what authority, and for what cause it was done; for I have no warrant to speak of these things: but this I dare affirm, that albeit the Queen following her husbands direction, had ratified the treaty, she should have found her self thereby so farre interessed, as she would doubtless used all means to free her self of the same. And this I say not in the Queens name, but only to make it seem, that our Noblemen have reason to travel, that all debates and controversies may cease, and a firm and perpetual peace may be established.

The conclusion taken by the Queen of England.

This and some other speeches interchanged amongst them touching the treaty, moved the Queen of England to agree that the same should be revised by some Commissioners, and corrected after this form. *That the Queen of Scots should thenceforth abstain from using the English Armes, and from the titles of the Crown of England, and Ireland, during the life of Queen Elizabeth, and her posterity. That on the other part the Queen of England should oblige her self and the children begotten of her, to do nothing in prejudice of the Queen of Scots her succession.* These were the things acted in this legation.

The Queen of Scots her progress in the country.

Now at home the Queen keeping a progress in the country, went from Edinburgh to Striveling, from thence to Perth, Dundy, and S. Andrews, and other special Burghs, where she was received with much honour and triumph; returning to Edinburgh a little before the feast of Michaelmas, at which time the Burgesses are wont to elect their annual Magistrates, and to set down statutes for the good of the town; amongst other acts, one was published, inhibiting that any adulterer, fornicator, drunkard, Masse Priest, or obstinate Papist, should be received in the town, under such pains as the law did prescribe. The Queen interpreting that to be an usurpation of royal power, did commit Archibald Douglas Provost to the Castle of Edinburgh, charging the Council of the Town to make a new election: which they obeyed, chusing Mr. Thomas in his place. A Proclamation was likewise made,

Archibald Douglas Provost of Edinburgh committed.

granting

granting liberty to all good and faithfull subjects, to repair and remain within the Burgh at their pleasure, for doing their lawfull and ordinary business.

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The Preachers are displeased.

These things ministred great offence, especially to the Preachers, who seeing the Queen take more liberty then she did in the beginning, keeping her Masses more publick, and causing them to be celebrated with a greater pomp, did mightily complain thereof in their Sermons, but profited little; for some of the Noblemen, who had in former times shewed themselves most jealous against the toleration of idolatry, were grown a little more cold by the flatteries of Court. and all of them emulous of others greatness, were striving who should be in most favour with the Queen.

She had some while before this taken to be of her privy Councell, the Duke of *Chattellerauld*, the Earls of *Huntly*, *Argile*, *Atholl*, *Morton*, *Marshall*, *Glencarn*, *Montrose* and *Arroll*, Lord *James* her brother, the Lord *Ereskin*, and Mr. *John Lesly*, Bishop of *Rosse*; *Huntly* was created Chancellor, one that in matters of religion had behaved himself very unconstantly, and to win the Queens favour was now become altogether Popish. This animated the Priests and others of that faction, which before were quiet, and put them in some heart.

The Queen maketh choice of a Councell.

One *Ninian Winjet* Schoolmaster at *Linlithgow*, a man of reasonable learning, set forth a Book of questions, against the confession of Faith, which went currant in the Court, and was much esteemed by them of his Profession. Being cited, and divers conferences kept with him, to make him acknowledge his errors, he continued obstinate, and was therefore sentenced by the Church; wherefore he forsook the Countrey, and flying to *Germany* was preferred to be Abbot of the *Scottish* Monastery at *Ratisbone*, where he lived many years. The Abbot of *Cosfrag-nell* in the West, published about the same time another Faith. Whereunto *John Knox* having made a reply, and the Author in regard of his age and quality of birth, (for he was of the house of *Calsils*) was thought fit to be overseen.

Ninian Winjet a Priest exiled.

Mean while the Court was busied in a consultation how to supply the charge of the Queens house, which the ordinary revenues of the Crown could not so honourably maintain as was required. Divers being thought upon, the readiest seemed to fall upon the Church rents, and draw somewhat from the Prelates and beneficed Persons. To this purpose they were convened before the Councell, and after a long Treaty, and many perswasions used, considering with themselves, how they subsisted merely by the Queens favour, and that by refusing a part, they might endanger the whole, they were induced to yield the third part of their benefices, to be disposed of at the Queens pleasure, and assumed forth of what places her Collectors should choose, her Majesty securing them of the two parts during their lives, and liberating them of the Ministers, with whose maintenance they were continually boasted. It carried some shew of commodity this at first, but turned to little or nothing: the Prelates and beneficed men undervaluing their rents, and making up a third, which did afterwards when the number of Ministers increased, scarce suffice to their provisions.

The thirds of Benefices granted to the Queen.

Much about this time a rumour was raised in the Court, and went a while uncontrolled, that the Earl of *Arran* intended to ravish the Queen, whom he was known to love most passionately. She whether counterfeiting a fear, or that there was any cause given that way, it is not known, did leavy a guard of horse and foot to attend her person: which put divers in fear, and opened the mouths of discontented people, as if some grounds of tyranny had been thereby laid. But she not regarding these surmises, and carefull only of the Countreys quiet, laboured earnestly to have justice take place, and the borders then being unquiet, sent her brother Lord *James* thither with a Commission of Lieutenandry; which he faithfully discharged, using exemplary punishment upon a number of broken men, and taking pledges of others for living obedient to the Lawes. For this service at his return he was preferred first to the Earldome of *Marre*, and a little after to the Earldome of *Murray*: for the Lord *Ereskin*, having claimed title to the Countrey of *Marre*, was by the Queen made Earl of the same.

A guard of horte and foot levied to attend the Queen.

Lord *James* sent to the borders is at his return made Earl of *Marre*. He is preferred to the Earldome of *Murray*, and the Lord *Ereskin* made Earl of *Marre*.

Huntly offending that these honours should have been conferred without his consent,

Huntly offendeth with their preferments;

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He chargeth
Murray with
the affectation
of the Crown.

Bothwell stir-
reth up the
Earl of Murray
against the
Hamiltons.

Practice a-
gainst the Earl
of Murray.

The practice
discovered by
the Earl of
Arrane.

Arrane becom-
eth distracted.

New devices
for cutting off
Murray.

consent, and he thereby put from the possession first of *Marre*, then of *Murray*, which he had enjoyed since the death of King *James* the fifth; and because of that long possession reckoned to be a part of his own patrimony; resolved, since he saw his own credit and authority waning, before that of *Murrays* was fully settled, to underm ine him by one mean or other: whereupon by scandalous detractions and other the like courses familiar in the Courts of Princes, he laboured to disgrace him; and finding that these prevailed not, presented to the Queen a libell written with his own hand, wherein he charged the Earl of *Murray* with ambitious affectation of the royall authority. Yet the proofs he brought being weak, the Queen made no accompt thereof. This also failing, he incited *James Hepburn*, Earl of *Bothwell*, (one that had debauched his patrimony, and had all his hopes depending upon the publick disturbance) to set the Earl of *Murray* and the *Hamiltons* by the ears: which he assayed to do, first by perswading the Earl of *Murray* to ruine Duke *Hamilton*; who, as he said, lay waiting on the Queens death, and aimed at no less then the Crown, and besides bare a particular enmity against himself. This he said could not but be acceptable to the Queen, seeing that besides the naturall hatred that all Princes have to their successors, she did bear a speciall grudge to the Earl of *Arran* for his love to the reformed religion, and because of some hard speeches that fell out in a conference betwixt him and her uncle the Marquesse d'Elbenf.

The Earl of *Murray* abhorring such dishonest practices, and refusing to hearken thereto, his next address was to the *Hamiltons*, offering to take part with them in cutting off the Earl of *Murray* (whose credit with the Queen he knew they disliked) and shewing how easie it might be done; By this means, he said, they should have the Queen in their own hands, and be rid of him who chiefly stood in their way. The time and place of the murther being considered upon, *Bothwell* and *Gavin Hamilton* Abbot of *Kilwinning*, are said to have taken the matter in hand. The device was to kill the Earl whilest the Queen was at hunting in the Park of *Falkland*, and that performed, to carry the Queen along with them for their greater surety, and the countenancing of the fact.

The Earl of *Arrane*, who had withstood the conspiracy, perceiving them resolute in that they had undertaken, and fearing it might take effect, adviseth the Earl of *Murray* of the plot laid against his life; *Murray* rendring him many thanks, the letter was intercepted by some that disliked the intelligence they kept with others, and finding by the answer what advertisement he had made, perswaded the Duke his father to send him with some Keepersto the house of *Kinneill*. But he making an escape in the night came to the house of *Grange* in *Fife*, and sending to the Earl of *Murray* to shew what had happened, was the next morning conveyed by him to the Queen in *Falkland*. And at his coming he discovered the whole practice unto her; whereupon *Bothwell* and *Kilwinning* were both apprehended, for they were come to *Falkland* of intent to clear themselves. *Arran* being brought before the Councell to be examined, was observed to be in some perturbation of minde, and being dimitted for that time, was at his next appearing clearly perceived by his words and countenance to be taken with a phrensie, yet when he came to himself, as he did sometimes in the beginning of the disease, he wrote to the Queen and others so judiciously, as many thought he did only fain himself mad, to free his father of the conspiracy. The rest he accused so constantly and with such eagerness, that in presence of the Councell he made offer, since the accusation could not be made out by witnesses, to try in single combat with *Bothwell*. But the Queen misliking that form of triall made *Bothwell* to be sent to the Castle of *Edinburgh*, and the Abbot of *Kilwinning* to the Castle of *Striveling*, committing *Arrane* to the custody of some persons at Court.

And now *Huntly* imagining that he had a fair occasion to put *Murray* out of the way, and that he might do the same more safely, having two of the greatest Families in the Kingdome partners with him in the quarrell, fell into other devices; and first stirring up a trouble in *St. Andrews* where the Queen then remained, and thinking that *Murray* would come forth upon the noise to pacifie the tumult, he resolved by

by some whom he had suborned to cut him off in the fray. This not succeeding, *An. 1562.* some armed men were laid to intercept him as he came from the Court at night; for the Queen detaining him late, he was wont to go accompanied with one or two only in most quiet manner to his lodging. But this being likewise frustrated by advertisement given to *Murray*, and he having tried it to be so (for upon the notice given him, he went and found them standing armed in the Porch of the Abby, which was the place designed to him) delated the matter to the Queen. *Huntly* excusing his men, said that they were some only of his company, who being to go home that day, had put on their armes, and being stayed by some occasion till the next morning, were there attending his coming.

This excuse, albeit naught and frivolous, was accepted for the time, which gave many to think, that the Queens affection to her brother was not so great as it was commonly taken to be. And it is true, that about the same time the Queen had received letters from the Pope, the Cardinall of *Lorrain*, and her uncles in *France*, advising her to entertain *Huntly* as the man most powerfull, and best inclined towards the advancing of the *Romish* religion, and to give him some hopes of her marriage with *John Gordon* his second son, whereby he should be made more forward in the purpose. Great promises were made besides of money and other necessary supplies for war, but so alwayes, as these were made away that were enemies to the Catholick faith; of whose names a roll was sent unto her, and the Earl of *Murray* placed in the first rank. But what impression these letters made in the Queens mind, she shewed the same to her brother, and used him with no less respect then before.

Letters sent from beyond sea in favour of *Huntly*.

In the beginning of the next summer there was a great speech of the interview of the Queens of *England* and *Scotland*, and messengers to and fro sent to agree upon the place, the time and manner of the meeting. The motion came from the Queen of *Scots*, who, as it was thought, greatly affected the same out of a desire she had to live in a firm peace with the Queen of *England*, and make her self known to the subjects of that Countrey. Neither was the meeting disliked of the better sort, as thinking it would serve, besides the preservation of the common peace, to bring her unto a liking of the reformed religion. But they who were popishly set, fearing greatly the conference, spake openly against it. saying, *That of such interviewes there was never seen any good fruit, and that it would not be safe for the Queen of Scots to put her self in the power of her, whose Kingdom she had claimed.* Not the less, the treaty went on, and was concluded, *York* condescended to be the place of meeting, the numbers on either side agreed unto, and the time designed about the end of *June*. But whilest all things were in readines for the journey, the Queen of *England* excused her self by letters, desiring the interview should be put off till the next year, which the Queen of *Scots* was not ill pleased to hear: for she feared if the same had held, that the *French* King and her uncles should have been much offended.

An interview of the two Queens moved.

The interview stayed.

This journey being stayed, the Queen took her progress unto the North. Being at *Siriveling*, she was petitioned by certain Commissioners of the Church for abolishing the Mass, and other superstitious rites of the *Roman* religion, and for inflicting some punishment against blasphemy, against the contempt of the Word, the profanation of the Sacraments, the violation of the Sabbaths, adultery, fornication, and other the like vices condemned by the word of God, whereof the laws of the Countrey did not take any hold. For actions of divorce, it was likewise desired that they should be remitted to the judgement of the Church, or at least trusted to men of good knowledge and conversation, and that Popish Churchmen might be excluded from places in Session and Councell. To these Petitions exhibited in writing, the Queen after she had perused the same, made answer, *That she would do nothing in prejudice of the religion she professed, and hoped before a year was expired to have the Masse and Catholick profession restored through the whole Kingdome:* and thus parted from them in a choler.

Petitions of the Church to the Queen.

About the midst of *August* she entred into *Aberdene*, and was met by the Lady *Huntly*, a woman of an haughty disposition, wise and crafty withall in sisting the minds of others: she knowing the mutability of Princes favours, laboured to infi-

The Queen goeth to *Aberdene*.

An. 1562.

The Lady
Huntley inter-
cedes for her
son.

nuate her selfe in the Queens affection, using all servile flattery, extolling the power of her husband, and repeating the offer he had made for reestablisshing the *Romane* profession in these North parts. Then falling to intercede for her son *John Gordon* (who had offended the Queen by his escape forth of ward, in which he was put for wounding the Lord *Ogilvie* upon the high street of *Edinburgh*) she intreated her Majesties favour for that oversight, and that he might be licensed to attend her Majesty, during her abode in those quarters. The Queen understanding what they went about, and how they flattered themselves with a conceipt of her marriage, answered that it stood not with her honour to admit him in her presence, unless he should reenter himself in the place from which he had escap't. The Lady thanking her Majesty, and promising obedience in her sons behalf, did only intreat that the place of his Ward might be changed to the Castle of *Striveling*: whereunto the Queen having yielded, the Lord *Glames* was appointed to convey him thither; and he indeed went so farre on the way, as to the Nobleman his house of *Glames*; but whether called back by his Father and friends, or of his own private motion it is uncertain) there he changed his mind, and returned to the North, where gathering some forces, a thousand horse or thereabout, with them he drew near to *Aberdene*.

The Queen
taketh journey
to *Inverness*.

The Queen highly commoved with his contempt, yet dissembling her anger, did after a day or two keep on her journey towards *Inverness*, whither she intended. The eighth of *September* the night before her setting forth, were seen in the firmament great inflamations and lightnings extraordinary, which continued the space of two houres and above. It feared the common sort, who do always interpret such accidents to be prognosticks of some trouble: But the Queen contemning these things as casual, would not hear of altering her journey; so the first day she went to *Buquhaine*, the next to *Rothemay*, and the third day being invited by *Huntley* to his house of *Straitbbogie*, where great preparations were made for her receipt, she denied to go with him, or grace him in any sort, till his son gave obedience; and so kept on her way.

The Castle of
Inverness de-
nied to the
Queen.

The day following she came to *Inverness*, and thinking to lodge in the Castle, the Keeper *Alexander Gordon* refused to give her entry. Thereupon she began to suspect some treachery. In the Townesmen she could repose no assurance, as being all vassals and dependers of *Huntley*; The town it self was unfenced with walls, and the countrey all in Arms, (as she was advertised) to attend his coming. Yet disposing of things in the best sort she could, order was given to keep a strong watch, to fortify the passages into the town, and have ships prepared in the Road, whereunto if need were, she might take her refuge. About midnight some spies sent from *Huntley* unto the town were apprehended, who discovering his numbers and enterprize, were made fast. And the next morning, upon a rumour that went of her danger the Queen stood in, there flocked out of all quarters unto her number of Highlandmen, the *Frasers*, and *Munroes* chiefly, with their followers and friendship. The *Clanchattan* in *Huntleys* company, how soon they knew that the enterprize was against the Queen, forsook him, and slipped aside, came and yielded themselves unto her. She finding her forces increased, commanded to lay siege to the Castle which rendered upon the first assault. The Captain and principal Keepers were executed, but the lives of the common souldiers spared. After some four days abode in the Castle, the Queen returned to *Aberdene*, accompanied with all the Noblemen and clans of the countrey, and thithither came to the Lady *Huntley* with offers of submission for her husband, but was denied access.

The Castle
besieged and
rendered.

Huntley re-
solves to in-
vade the Queen.

Huntley perceiving the world thus altered, and himself fallen in the Queens displeasure, so as there was no hope of regaining her favour, betook himself to desperate courses, and assembling his friends and others that would run hazard with him, he approached to *Aberdene*, presuming much of the affection of the inhabitants: At Court he had the Earl of *Sutherland*, and *John Lesley* of *Bughaine*, men of no mean power, who made him daily advertised of things that passed there, and the small numbers that were with the Queen, willing him to take the opportunity. Whereupon

Whereupon resolving to follow his enterprife before the forces of the Queen were further increased (for charge was gone to all that could bear Armes in *Lothian, Fife, Angus, Stratherne*, and *Mernis*, to come and attend her at *Aberdene*) he advanced with some 800. in company, looking to find no resistance. And like enough the enterprife had succeeded to his mind, but that the same morning letters were intercepted, sent by *Sutherland* and *Buquhaine* to *Huntley*, which detected all their counsel. *Sutherland* upon discovery escaped: *Buquhaine* was pardoned upon his confession, and from thenceforth served the Queen faithfully. *Huntley* advertised of these things, was advised by his friends to turn back; yet hearing the Earl of *Murray* was coming against him, he made a stay resolving to fight.

An. 1562.

The place of standing he chused, was naturally fenced with mosse and quagmire, and so of difficult access; 300. they were in all, for many of his followers the night preceding were slipt from him. Neither had the Earl of *Murray* any great number, and few whom he might trust: for howbeit of the countrey about, divers gathered unto him, most of them were corrupted by *Huntley*, as appeared when the companies came in sight one of another, all of them in sign of treason, and that they might be discerned by the enemy, putting a bush of heath or header in their helmets, and how soon they came to joyn, giving back, and retiring in great disorder. The Earl of *Murray*, who stood a little off with an hundred in a troop, discovering the treason called aloud to his men, that they should bend their Spears, and not suffer those that fled to enter amongst them. So forced to take another course, they went aside leaving him and his troop, when they had taken their standing. *Huntley* imagining upon that flight and disorder the day to be his, commanded his men to throw away their lances, and with drawn swords to run upon them, as to a slaughter. But when they were come to the place where *Murray* with his company stood, they were born back and compelled to fly as fast, as before they followed. They who had played the Traytors seeing this, to clear themselves, turned upon *Huntley*, and made all the slaughter which was committed that day.

The battel of Corrichie.

There fell in the conflict on *Huntleys* side, 120. near as many were taken prisoners, on the other party not a man died. Amongst the prisoners was the Earl of *Huntley* himself, with two sonnes, *John* and *Adam Gordon*: The Earl was aged and corpulent, and by reason of the throng that pressed him, expired in the hands of his takers, the rest were carried to *Aberdene* late in the night. The Earls of *Murray*, *Morton*, and Lord *Lindesay* (for these last two had been in the field with *Murray*) went first into the Church, where Mr. *John Crage* Minister of that City gave solemn thanks to God for the victory, and their safety. This ended, they went unto the Queen, who received them graciously, yet expressed no motion of a mind either troubled, or much joyed. The next day was spent in taking counsel concerning the prisoners; the conclusion whereof was, that punishment should be taken according to the laws of *John Gordon*; That *Adam* his brother should be spared, because of his tender age; the other captives fined according to their wealth, and those of meaner estate banished the countrey. The day following, *John Gordon* upon a scaffold erected in the street of *Aberdene* was publickly executed. His death was much lamented, not by his friends only, but even by strangers and persons unknown; for he was a youth of most brave and manlike countenance, of a valorous spirit, and one who by his noble behaviour had raised great expectation of himself. Abused he was by the hopes of a royal match, and which grieved all the beholders, pitifully mangled by an unskilful Executioner.

The Earl of Huntly taken prisoner, and dieth.

Thanksgiving for the victo. y.

John Gordon beheaded at Aberdene.

This defeat of *Huntley* brought the North parts in a great obedience, and mightily discouraged those of the Popish faction throughout the whole Realm, for all that sort had placed their hopes on him and his greatnesse, both in the Court and countrey. The eldest of his sonnes named *George*, after the losse of that field fled to the Duke his Father in law, and was delivered by him to the Queen, who sent him prisoner to *Dumbar*. In the end of *January* he was accused and convicted of treason, his lands declared to be forfeited, and himself committed to prison. Shortly after, *John Hamilton* Archbishop of *S. Andrews* was committed in the Castle of *Edinburgh* for saying and hearing of Masse. The Abbot of *Corfragnal*, and Prior of

The Lord Gordon forfeited and committed.

The Archbishop of Sain: Andrews committed.

whithern

An. 1563.

A Parliament
at Edinburgh.

whithern were used in the like sort, and divers Priests and Monks for the same cause censured. The severe proceeding against Papists put many in hope that the Queen should be brought to embrace the Religion: which was further assured by the countenance she gave unto the Church in the Parliament kept at *Edinburgh* the *May* following, wherein divers statutes passed upon their Petitions, as in the Acts of that time may be seen. In this Parliament was the *Act of oblivion* (agreed unto at the treaty of *Leith*) first ratified; but without any respect to that treaty, which the Queen would never acknowledge. Wherefore it was advised that the Lords in the house of Parliament should upon their knees entreat the passing of such an Act, which accordingly was done. The rest of this summer the Queen spent in hunting in the countries of *Athol* and *Argyle*.

A trouble at
Halirudhouse.John Knox
called before
the Council.

But in *August* the same year there happened a thing that was like to have caused much trouble: certain of the Queens family that remained in the Palace of *Halirudhouse* had a Priest attending them, who did his ordinary service in the Chappel; divers of the town of *Edinburgh* resorting unto it, great offence was taken, and the disorder complained of by the Preachers. The Citizens being informed that many of their people were gone thither, one day went down, and being denied entry, forces the gates. Some were taken and carried to prison, many escaped the back way with the Priest himself. The uproare was great, and advertisement gone to the Queen thereof, she was mightily incensed, avowing not to come to the Town, till some exemplary punishment were inflicted upon the doers; yet by the mediation of the Earls of *Murray* and *Glencarne* she was pacified. *John Knox* only was called before the Council, and charged to have been the author of the sedition, as likewise for convocating the subjects by his missive letters, whensoever he thought meet. He answered, *That he was never a Preacher of rebellion, nor loved to stirre up tumults: contrariwise, he taught all people to obey their Magistrates and Princes in God. As to the convocation of the subjects, he had received from the Church a command to advertise his Brethren, when he saw a necessity of their meeting; especially, if he saw Religion to be in peril: and had often craved to be exonerated of that burthen, but still was refused.* Then directing his speech to the Queen with a wonderful boldness, *He charged her in the name of the Almighty God, and as she desired to escape his heavy wrath and indignation, to forsake that Idolatrous religion which she professed, and by her power maintained against the statutes of the Realm.* And as he was proceeding, was required by the Earl of *Morton* then Chancellor (fearing the Queens irritation) to hold his peace, and go away. After which time matters were carried more peaceably betwixt the Queen and the Church, the Earl of *Murray* alwayes interposing himself, and propounding the Petitions of the Church unto her, as likewise returning her answers to their satisfaction.

The Earl of
Lenox restored.Henry Lord
Darnley son to
Lenox, cometh
into Scotland.The Queen
intendeth to
take him to
husband.

In the end of this year *Matthew Stewart* Earl of *Lenox*, by the permission of the Queen, returned into *Scotland*, and in a Parliament called to that effect in *January* next had the proces of forfeiture laid against him, whilst the Duke was Governour, reduced, and so restored to his lands and possessions after 22. years exile. *Henry* his son followed him some moneths after, and came to *Edinburgh* in the beginning of *February*. A young man not past 21. years, of comely personage, and of a milde and sweet behaviour. He had presence of the Queen in the place of *Weymis*, and was received with great demonstrations of favour. Nor was it long, that she was perceived to bear some affection unto him. Whereupon a speech went, that she would take him unto her husband. And indeed, besides the love she carried to the young Nobleman, there was great respects that led her that way. He was descended of the Royal blood of *England*. And next unto her self, the apparant heir of that Crown. If it should fall him to marry with one of the greatest families of *England*, it was to be feared, that some impediment might be made to her in the Right of succession, which she thought was a wise part in her to prevent. Again, the Queen of *England* had advised her by *Thomas Randolph* her Ambassadour, to chuse unto her self a husband in *England* for the better conservation of the peace contracted betwixt the kingdomes, and had of late recommended the Earl of *Leicester* as a worthy match to her. She therefore as well to satisfie the Queen of *Eng-*
lands

lands desire, in not matching with a stranger, but with some *Englishman* born, as likewise to cut off all debates of succession, resolved to take the Nobleman to her husband. An. 1564.

But no sooner was her intention discovered, then on all sides enemies rose up against her. Of the Nobility at home, some opposed the Marriage under pretext of Religion (for the Earl of *Lenox* and his son were both esteemed to be Popish.) The Queen of *England* by *Nicholas Throgmorton* her Ambassadour, advised her not to use haste in a business of that importance; and (to interpose some impediment) charged the Earl of *Lenox* and his son to return into *England*, the time being not yet expired, contained in their licences. And universally amongst the subject, the question was agitated, *Whether the Queen might chuse to her self an husband; or it were more fitting, that the Estates of the land should appoint one unto her.* Some maintaining, that the liberty could not be denied unto her, which was granted to the meanest subject; others excepting, that in the heirs of the Kingdom the case was different, because they in assuring an husband to themselves, did withall appoint a King over the people; and that it was more reason the whole people should chuse an husband to one woman, then that one woman should elect a King to rule over the whole people. It was objected also by some, that the marriage was unlawful, and contrary to the Canon law, Lady *Margaret Douglas* his mother, being sister uterine to King *James* the fifth her father. But for this the Queen had provided a remedy, having sent *William Chisholm* Bishop of *Dumblane* to bring a dispensation from *Rome*. And to strengthen her self at home, she restored *George Gordon* son to the Earl of *Huntley*, unto his lands and honours, recalled the Earl of *Sutherland* who lived an exile in *Flanders*, and *Bothwell* that was banished in *France*. This wicked man was not well returned into the countrey, when he devised a new plot against the Earl of *Murray* his life, for which being called in question, he forsook the countrey, and fled again unto *France*. An. 1564.

The Lord Gordon restored.

The only man that seemed to stand for the marriage, and used his best means to promote it, was an *Italian* called *David Riso*, (who had great credit that time with the Queen. This man had followed the *Savoyan* Ambassadour into *Scotland*, and in hope of bettering his fortune gave himself to attend the Queen at first in the quality of a Musician; afterwards growing in more favour he was admitted to write her *French* letters, and in the end preferred to be principal Secretary to the Estate. It grieved many to see a stranger thus advanced; *Lethington* chiefly was displeased for that he found his credit thisway impaired, yet being one that could put on any disguise on his nature, of all others he most fawned on this *Italian*, and shewing him, as it was truth, that he was the object of divers Noblemens envy, did perswade him by all means to work the match, and procure (if it could be) the consent of the Queen of *England* thereto: wherein offering his own service (for he longed after some employment abroad) he procured to himself a message towards the Queen of *England*. By him the Earl of *Lenox* and his son did excuse their not returning into *England*, as they were charged; beseeching Queen *Elizabeths* favour unto the match intended, and that which might prove more profitable to her and her Realm, then any other course the *Scottish* Queen should take. Signeur Davie an attendant on the Queen favoureth the marriage.

Secretary Lethington sent into England.

Signieur Davie (for so he was commonly called) did after this labour with all his power to have the marriage perfected; and as he was of a politick wit, the more to bind the young Nobleman and his friendship unto him, studied to have the same finished before the return of the Queen of *Englands* answer, either fearing, that her disassent might work some delay in the match, or that the Noblemans obligation to himself should be the lesse in case she consented. For this purpose a Convocation of the Estates was kept at *Striveling* in the moneth of *May*, where the matter being propounded, and the advice of the Estates craved, many did yield their consents, with a provision that no change should be made in the present estate of Religion. The greater part to gratifie the Queen, without making any exception, agreed that the marriage should proceed. Of the whole number *Andrew Lord Ochiltree* did onely oppose, plainly professing, that he would never consent to admit a King of the Popish Religion. Shortly after, was *Henry Lord Darnly* created Lord of *Ardmanoch*, A Convocation of the Estates at Striveling.

An. 1564.

The Lord of
Darnely crea-
ted Duke of
Rothsay.

A mutiny at
Edinburgh.

The Queen
cometh to E-
dinburgh,
and the muti-
ners fly.

An Assembly
at Edinburgh.

Petitions of
the Church.

manoch, Earl of *Rosse*, and Duke of *Rothsay*, that honoured with these Titles he might be thought more worthy of the royall match. This determination of the Estates published, the Earls of *Murray*, *Argile*, *Glencarn* and *Roths*, assisted by the Duke of *Chattellerauld*, whom they had drawn to be of their faction, meeting at *Striveling* after that the Queen was parted, did joyn in a confederacy for resisting the marriage, pretending the danger, and other inconveniences that might arise to the Estate. In the town of *Edinburgh* the people began to mutiny, and assembling themselves in companies on *St. Leonards Crag*s took counsell to put their Burgeses in armes, to assign them Captains, and to disarm such of the townsmen as they knew to be affected to the marriage.

The Queen highly incensed at this mutiny did haste to the town, at whose coming the heads of the faction, *Andrew Slater*, *Alexander Clerk*, *Gilbert Lauder*, *William Harlaw*, *Michaell Rind*, *James Inglis*, *James Young*, and *Alexander Gouthrie*, fled forth of the town, and were denounced rebels. Their houses possessed by the Thesaurer, and their goods put under Inventory, were after some few dayes at the intercession of the Magistrates (so great was the Queens clemency) restored, and themselves pardoned.

The Assembly of the Church meeting at the same time in *Edinburgh* presented to the Queen by their Commissioners the Petitions following ;

1. That the Papisticall and blasphemous Masse with all Popish idolatry, and the Popes jurisdiction should be universally suppressed and abolished through the whole Realm, not onely amongst the subjects, but in the Queens Majesties own person and family, and such as were tried to transgress the same punished according to the Laws.

2. That the true Religion formerly received, should be professed by the Queen, as well as by the subjects; and people of all sorts bound to resort upon the Sundayes at least, to the prayers and preaching of Gods Word, as in former times they were holden to hear Masse.

3. That sure provision should be made for sustentation of the Ministry, as well for the time present as for the time to come, and their livings assigned them in the places where they served, or at least in the parts next adjacent ; and that they should not be put to crave the same at the hands of any others. That the benefices now vacant, or that have fallen void since the moneth of *March*, 1558. and such as should happen thereafter to be void, should be disposed to persons qualified for the Ministry upon triall and admission by the Superintendents.

4. That no Bishoprick, Abbacie, Priory, Deanry, Provosty, or other benefice having more Churches then one annexed thereto, should be disposed in time coming to any one man, but that the Churches thereof being dissolved, the same should be provided to severall persons, so as every man having charge, may serve at his own Church, according to his vocation. That Gleabs and Manfes might be designed for the residence of Ministers, as likewise the Churches repaire ; and an Act made in the next Parliament to that effect.

5. That none should be permitted to have charge of Schools, Colledges, and Universities, or to instruct the youth either privately or publickly, till they were tried by the Superintendents in the visitation of the Churches, and after tryall admitted to their charge.

6. That all Lands founded of old to Hospitalitie should be restored, and applied to the sustentation of the poor ; and that Lands, annuall rents, or other emoluments belonging sometime to the Friars of whatsoever Order, as likewise the Annuities, Aultrages, Obits and other duties pertaining to Priests, be employed to the same use, and to the upholding of Schools in the places where they lie.

7. That horrible crimes abounding in the Realm, such as idolatry, blasphemy of Gods Name, manifest violation of the Sabbath or Lords day, witchcraft, sorcery, and enchantment, adultery, incest, open whoredom, maintaining of brothels, murder, slaughter, theft, reise and oppression, with all other detestable crimes, be severely punished, and Judges appointed in every Province for executing the same.

8. That

8. That some order should be devised for the relief of the poor labourers of the ground, who are oppressed in their Tythes by Leases set over their heads, and they thereby forced to take unreasonable conditions. *An. 1564.*

To these petitions the Queen made Answer by writing in this sort: First she said, *That where it was desired that the Masse should be suppressed and abolished aswell in her Majesties own Person and Family, as amongst the Subjects, her Highness did answer for her self, that she was no wayes perswaded, that there was any impiety in the Masse; and trusted her Subjects would not press her to do against her Conscience. For not to dissemble, but to deal plainly with them, she said, she neither might nor would forsake the Religion wherein she had been educated, and brought up, believing the same to be the true Religion, and grounded upon the Word of God. Besides she knew, that if she should change her Religion, it would lose her the friendship of the King of France, and other great Princes her friends and confederates, upon whose displeasure she would be loath to hazard, knowing no friendship that might countervail theirs. Therefore desired all her loving Subjects, who have had experience of her goodness, how she had neither in times past, nor yet in time coming did intend to force the conscience of any person, but to permit every one to serve God in such manner, as they are perswaded to be the best. That they likewise would not urge her to any thing that stood not with the quietness of her mind.*

The Queens
answer to the
Petitions.

As for the establishing the Religion in the body of the Realm, she said, *That they knew the same could not be done but by the consent of the three Estates in Parliament. And how soon the same should be convened, what soever the Estates did condescend unto, her Majesty should thereto agree, assuring them in the mean while, that none should be troubled for using themselves in Religion, according to their consciences, and so should have no cause to fear any perill to their lives or heritages.*

To the third and fourth Articles it was answered, *That her Majesty did not think it reasonable, that she should defraud her self of so great a part of the Patrimony of the Crown, as to put the Patronages of benefices forth of her own hands, seeing the publick necessities of the Crown did require a great part of the Rents to be still retained. Notwithstanding, her Majesty was pleased, that her own necessity being supplied, after it should be considered, what might be a reasonable sustentation to the Ministers, a speciall assignation should be made to them forth of the nearest and most commodious places, wherewith her Majesty should not intermeddle, but suffer the same to come to their use.*

Touching the sustentation of the poor, her Majesty said, *That her liberalitie towards them should be as far extended, as with reason can be required.*

And for the rest of the Articles, Her Highness promised to do therein, as the Estates convened in Parliament should appoint.

About the midst of July (the dispensation of the mariage being brought from Rome) the Queen was espoused to the Lord Darnelie, after the Popish manner in the Chappel of Halirudbruse by the Dean of Restalrig, and the next day was he by the sound of the Trumpet proclaimed King, and declared to be associated with her in the Government.

The Queen
married to the
Lord Darnly.

The discontented Lords sent forth their complaints upon this, alledging, *That the Kingdome was openly wronged, the liberties thereof oppressed, and a King imposed upon the people without advise and consent of the Estates (a thing not practised before at any time, and contrary to the Laws and received custom of the Countrey)* Desiring therefore all good subjects to take the matter to heart, and joyn with them in resisting these beginnings of Tyranny. But few or none were thereby won to shew themselves openly of their party, so as when the Queen with her husband went against them, they left the town of Striveling where the first convened, and fled into Paislay.

The com-
plaints of the
discontented
Lords.

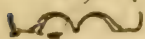
The King to make himself more popular, and take from the Lords the pretext of Religion wherewith they coloured their designs, took purpose to go unto St. Giles Church in Edinburgh and hear Sermon. John Knox (either doubting his sincerity, or favouring the faction of the Noblemen) fell upon him with a bitter reproof; for which being cited before the Queen and Councell, he not onely stood to that he had spoken but added, *That as the King for her pleasure had gone to Masse, and dishonoured the Lord God, so should he in his Justice make her the instrument of his ruine.*

The king hear-
eth a Sermon
at St. Giles.

John Knox ci-
ted before the
Councell.

The

An. 1564.



The Lords
pursued by the
King and
Queen.

The Queen incensed with this answer, burst forth in tears: whereupon he was inhibited preaching by the Councell, and silenced for some moneths. Mr. *John Craig* (who a little before was brought to *Edinburgh*) because of the prohibition given to his Colleague, refused to do any service there, which put the people in a stir, yet upon better advice, he was moved to continue in his charge.

In the end of *August* the King and Queen accompanied with five thousand or thereabouts, went to *Glasgow* to pursue the Lords. They removing from *Paisley* to *Hamilton*, an Herald was sent thither to summon the Castle, which they denied to render, giving out, that they would try the matter in battell the next day. But the manifold distractions amongst themselves did let this resolution, and divers falling away from their side, they went to *Edinburgh*, where supposing to finde assistance, the Captain of the Castle forced them by his continuall playing on the town, to quit it. After which they tooke their course to *Dumfreis*, allured by the fair promises of *John Maxwell* Lord *Hereis*.

The Lords
flee into Eng-
land.

The Queen
of England
intercedeth
for the Lords.

A new expedition upon this was concluded, and the Lieges warned to meet at *Bigger*, the 9. of *October*: in the mid time the King and Queen leaving the Earl of *Lenox* Lieutenant in the West parts, made a Progress through *Fife*, to punish those that had assisted the Lords. The Lairds of *Grainge*, *Balcomie*, *Pitmillie*, and *Rammormie*, were fugitive, some others of meaner sort taken prisoners, and the towns of *Perth*, *Dundie*, and *St. Andrewes* fined in great summes. This done, they returned to *Edinburgh*, and from thence went into *Dumfreis*, where the Lords had stayed all that while: The Lord *Hereis* pretending to make their peace, concluded his own, advising them to fly into *England*, as they did. Thither went the Duke of *Chattellerault*, the Earl of *Murray*, *Glencarne*, and *Rothes*, the Lord *Ochiltre*, the Comendatory of *Kilwinning*, and divers others of good note. A few dayes they abode in *Carlisle* with the Earle of *Bedford*, Lieutenant at that time in the North. Then going to *Newcastle*, they sent the Earl of *Murray* to the *English* Court, to intreat the Queens intercession for them; she incontinent dispatched a Gentleman of her Privie Chamber, named *Tamerorth* with Letters to the Queen of *Scots*, requesting, that *Murray* and the rest might be received in favour. The Gentleman not vouchsafing to give her husband the title of a King, nor bringing any Commission to him, was denied presence, and had his answer delivered him in writing, to this effect: *That Queen Elizabeth should do well to have no meddling with the subjects of Scotland, but leave them to their Princes discretion, seeing neither she, nor her husband did trouble themselves with the causes of her subjects.*

The Duke re-
ceived in favor

The Duke perceiving that by these means their peace would not be hastily made; and knowing his reconciliation to be more easie, resolved to sever his cause from the rest, and sent the Abbot of *Kilwinning* to entreat favour to himself and his friends: which he easily obtained, for he was known to be nothing so guilty as the others, and to have been craftily drawn upon that faction; so he returned into *Scotland*, in *December* following.

A generall As-
sembly of the
Church.

A reply to the
answer of their
last Petitions.

In this moneth a generall Assembly of the Church convened again at *Edinburgh*, where the answer made by the Queen to their last petitions was presented; and replied unto by the same Assembly in this manner: First they said, *That it was no small grief to the hearts of good and Christian subjects to hear, that notwithstanding the Evangel of Christ had been so long preached in the Realm, and his mercy so plainly offered, her Majesty should yet continue unperswaded of the truth of that Religion, which they preached and professed, it being the same which Christ Jesus had revealed to the world, which he commanded his Apostles to preach, and ordained to be received of all the faithfull, and firmly retained by them untill his second coming; A religion that had God the Father, his onely Son Christ Jesus, and the Holy Spirit for the Authors thereof; and was most clearly grounded upon the Doctrine and practice aswell of the Prophets, as Apostles, which no other religion upon the face of the earth could justifie, alledge or prove. For whatsoever assurance the Papist had or could alledge for his profession; the same the Turk had for his Alcoran; And the Jews more probably might alledge for their rites and traditions, whether it be antiquity of time, or consent of people, or authority of Princes, or multitudes and number of Professors, or any the like cloakes they do pretend.* Wherefore

in

in the Name of the eternall God (with the reverence that became them) they required her highness to use the means whereby she might be perswaded of the truth, such as the preaching of the Word of God, the ordinary mean that he hath appointed for working knowledge and begetting faith in the hearts of his chosen ones, conference with learned men, and disputation with the adversaries, which they were ready to offer, when and where her Grace should think expedient.

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Next, where she could not believe any impiety to be in the Mass they made offer to prove the whole Mass from the beginning to the ending, to be nothing else but a mass of impiety, and that the Priest his actions, the opinion which the hearers, or rather the gazers upon it had of the same, were blasphemous, and grossly idolatrous. And where her Majesty said, she would not hazard the displeasure of the King of France and other Princes, with whom she was confederated; they to the contrary did assure her, That true Religion is the onely bond that joyneth men with God, who is the King of Kings, and hath the hearts of all Princes in his hands, whose favour ought to be unto her more pretious, then the favour of all the Princes on earth, and without which no friendship or confederacy could possibly endure.

Thirdly, touching her answer to the Article for sustentation of the Ministry, they shew, It was never their meaning, that her Majesty, or any other Patron should be defrauded of their just rights. Onely they desired when any Benefice was void, that a qualified person should be presented to the Superintendent of the bounds, to be tried, and examined by him. For as the Presentation belongeth to the Patron, so doth the Collation belong to the Church. Otherwise, were it in the Patrons power simply to present whom they pleased, without triall or examination, there should be no order in the Church, and all be filled with ignorance and confusion.

Fourthly, to that which her Majesty spake of retaining a great part of the Benefices in her own hands, they answered, That such doing was against the Law both of God and Man, and could not stand with a good conscience, seeing it tendeth to the destruction of many poor souls that by this means should be defrauded of instruction. And for the offer she made to provide the Ministry by assignations in places most commodious, her own necessities being first supplied, they said, That good order did require Ministers first to be provided, Schools for instructing the youth maintained, the fabrick of Churches repaired and upheld, and the poore and indigent members of Christ sustained; all which ought to be furnished out of the Tithes, which are the proper Patrimony of the Church. These things done, if any thing were remaining, that her Majesty and Councell might use it as they should think expedient. In end, giving thanks to her Majesty for the offer of assignations, they humbly desired the generall offer to be made more particular, and that it might please her to reform the answer given to the Articles of the Church in all the aforesaid points.

After this sort did the Church insist with the Queen, but with small success; for the provision of Ministers some small supply was obtained. But in the point of Religion, they found no contentment. During the rest of this winter, matters were quiet: but the next year had a foul beginning, *Seigneur Davie* who governed all affairs at Court, had onely the Queens ear, being slain upon the occasion, and after the manner you shall hear. There had fallen out a little before some private discontents betwixt the King and Queen, whereupon first she caused change the order which was kept in the Proclamations and publick Records, placing the name of her husband after her own name, that the Royall authority might be known to belong unto her self wholly. And after a little time upon a colour that the dispatch of business was much hindred through the Kings absence; she had appointed in stead of his hand, a cachet to be used in the signing of Letters, which was committed to the custody of *Seigneur Davie*. This being noted, (as they are never wanting some in Court to stirre the coals) divers tales were brought to the King of the neglect and contempt that he was held in, and of the great respect carried to the stranger. The vanity and arrogancy of the man himself was likewise so great, as not content to exceed the chief of the Court, he would outbrave the King in his apparell, in his domestick furniture, in the number and sorts of his horses, and in every thing else: So as no speech was for the time more common and currant in the Countrey, then

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The slaughter of *Seigneur Davie* conspired.

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that of *Davies* greatness, of the credit and honour whereunto he was risen, and of the small account that was taken of the King. This the King taking in heart, he did open his grief unto his father, who advised him to assure the Nobility at home, and to recall those that were banished into *England*; which done, he might easily correct the insolency and aspiring pride of that base fellow.

A Parliament
at Edinburgh
deserted.

A parliament being then called to meet at *Edinburgh* the 12. of *March*, for pronouncing sentence of forfeiture against the Earls of *Murray*, *Glencarn*, *Argile*, *Roths*, and other Noblemen that were fled into *England*, as the time of meeting drew nigh, the Queen laboured earnestly to have the process laid against them found good; and that matters might go to her mind, she designed *Davie* to exercise the office of Chancellour in that meeting. The Earl of *Morton* who after *Huntlies* death had supplied the place unto that time, interpreted this as a disgrace offered unto him, dealt with the King (with whom he was grown familiar) to make him sensible of his own contempt and misregard; and finding him apprehensive enough that way, drew him to a meeting in the Lord *Ruthvens* lodging, upon pretext of visiting the Nobleman, who lay then diseased, where breaking forth in a speech of the present misgovernment, the blame of all was cast upon the King, as having for the pleasure of a wicked villain chased his cousins and best friends out of the Realm, and helped to raise a base fellow to such a height of credit, as now himself was become by him despised. The King that could not deny it to be his fault in a great part, professed his readines to joyn with them for remedying those evils, and from thence forth promised to do nothing but by the consent of the Nobility. Yet they not esteeming it safe to trust his promises, whom they knew to be facile and somewhat uxorious, lest afterwards he should go from that agreement, did exhibite to him a Bond in writing, wherein they were all sworn to joyn for maintaining Religion, reducing the Noblemen lately exiled, and making *Davie* out of the way. Unto this the King did wittingly set his hand, and with him subscribed the Earl of *Morton*, the Lords *Ruthven* and *Lindesay*, for he also was present and upon the plot.

The slaughter
of *Davie*.

The night following, because matters could not be long kept close, and needfull it was to go presently thorough with the designe by reason of the Parliament approaching, they prepared to execute the same. *Morton*, whose forces were greatest was appointed to guard the utter Court of the Palace, if perhaps any stir should be made. For there lodged within the Earls of *Huntly*, *Atholl*, *Bothwell*, *Sutherland* and *Cathness*, with the Lords *Flemyn* and *Levingston*, a force to have resisted any sudden attempt. The King taking the Lord *Ruthven* with him, who was but lately recovered of a Fever, and followed by four or five men at most, entered into the room where the Queen sate at supper. *Ruthven* seeing *Davie* at the table, (for the Queen was accustomed when she supped private to admit others to sit by her, and that night the Countess of *Argile*, and beneath her *Davie* was placed) commanded him to arise and come forth, for the place where he sate did not beseem him.

The Queen starting up hastily, went between *Davie* and *Ruthven* to defend him, and *Davie* clasping his hands about her middle, the King laboured to loose them, willing her not to be afraid, for that they were come onely to take order with that villain. Then was he dragged down the stairs to the gallery where *Morton* with his company was walking. There they fell upon him, and striving who should give the first stroak, killed him with many wounds.

Damiot a
French Priest
willed him to
be gone.

It was constantly reported that he had warning given him oftner then once by *John Damiot* a French Priest, who was thought to have some skill in Magick, to do his business and be gone, for that he could not make good his part; And that he answered disdainfully, *The Scots are given more to brag then to fight*. Some few dayes again before his death being warned by the same Priest to take heed of the bastard, he replied, *That whilest he lived, he should not have credit in Scotland to do him any hurt*. For he took the Earl of *Murray* to be the man, of whom he was advertised to take heed. But that prediction either fulfilled, or eluded, the first stroak was given him by *George Douglas*, base son to the Earl of *Angus*, after whom, such others as were in place, either serving their private malice, or desiring to be esteemed associates in that conspiracy, inflicted every man his wound till he was dispatched.

dispatched; yet had they no commandment from the contrivers, so to kill him: It being their purpose to have brought him to publick execution, which they knew would have been to all the people a most grateful spectacle. And good it had been for them so to have done, or then to have taken him in another place, and at another time, then in the Queens presence. For besides the great peril of abortion, which her fear might have caused; the false aspersions cast upon her fame and honour by that occasion, were such as she could never digest, and drew on all the pitiful accidents that afterwards ensued. The Queen bursting forth in many tears, after a great chiding she kept with the Lord *Ruthven*, sent one of her maids to enquire what was become of *Davie*, who quickly returning, told that he was killed; having asked her how she knew it, the maid answered, that she had seen him dead. Then the Queen wiping her eyes with her handkerchief, said, *No more tears; I will think upon a Revenge.* Neither was she seen after that, any more to lament.

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The Queens
behaviour after
Davies
murder.

The rumour of this deed ran soon through the Town, whereupon the people did arm, and go to the Palace. But they were pacified by the King, who calling to them from a window, shewed that the Queen and he were well, and that they needed not to fear, because that which was done, was done by his own commandment. The Noblemen that lodged within the Palace, were charged to keep within their chambers; yet the Lords *Huntley* and *Bothwell* escaped the same night by a window at the back of the Palace. *Athol* and the rest had licence to depart the next morning. Upon Tuesday thereafter (for the slaughter was committed upon Saturday the ninth of *March*) the Earls of *Murray* and *Roths*, with these that were exiled in *England*, returned to *Edinburgh*; and going first to the Parliament house, took documents, that they were ready to answer the summons of forfeiture directed against them, and that none did insist to pursue.

The exiled
Lords return.

In this doubtful estate of things the Queen not knowing whom to trust, sent for her brother the Earl of *Murray*, and having conferred familiarly a while with him, by his means had her servants and guards restored; for after the slaughter they were all put from her. The night following she went from the Palace to *Seaton*, and from thence to *Dumbar*, taking the King with her in company; who repenting the fact, and forsaking the other Conspirators, did openly by sound of Trumpet at the Market Crosse of *Edinburgh* protest his innocency, denying, that ever he gave his consent to any thing, but to the returning of the Lords that were banished in *England*. Yet was the contrary known to all men, so as this served only to the undoing of his reputation, and made him find few or no friends thereafter to aid him in his necessity.

The King pro-
testeth his in-
nocency.

Upon the Queens departing the Conspirators, and whosoever were thought privie thereto, fled some to *England*, others to the borders, and Highlands, and such a change you should have seen as they who the night preceding did vant of the fact as a goodly and memorable Act, affirming some truly, some falsely, that they were present thereat, did on the morrow forswear all that before they had affirmed. The Earl of *Morton* with the Lords *Ruthven*, *Lindesay*, and young *Lethington*, remained at *Newcastle* in *England*, where the Lord *Ruthven* falling again in the fever departed this life. Mr. *James Macgill*, Clerk of Register, with divers Citizens of *Edinburgh* that were esteemed favourers of the fact, left the Town, and lurked privately amongst their friends. After some four dayes stay at *Dumbar* the Queen returned to *Edinburgh*, accompanied with many of the Nobility, and then began Inquisition to be made for the Murtherers. *Thomas Scot* Sheriffe depute of *Perth*, and servant to the Lord *Ruthven*, with Sir *Henry Yair* sometimes a Priest, being apprehended, were after trial hanged, and quartered. *William Harlaw* and *John Mowbray* Burgeses of *Edinburgh*, convicted, and brought to the place of execution, had their lives spared by the intercession of *Bothwell*. The Lairds of *Calder*, *Ormeiston*, *Halton*, *Elphinston*, *Brunston*, *Whittingham*, *Shirreshall*, and many others being cited, as conscious of the murther, for not appearing were denounced Rebels. The office of the Clerk Register was conferred upon Sir *James Balfour*, and a conclusion taken in council, that they who should be tried to have either devised, or to have been actual committers of the said murther, should be pursued by order of Justice, and the same

The Conspi-
rators flye in-
to *England*.Inquisition of
the murtherers.

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executed with all severity : but that the Commons and others that came to the Palace accidentally , should upon their supplication be used with more clemency. In all this proceeding there was none more earnest or forward then the King, notwithstanding whereof the hatred of the fact lay heavy upon him, nor could he ever after this time recover his former favour with the Queen. The rest after a little time were reconciled, *Lethington* by the means of *Athol* was first called home , albeit *Bothwel* did strongly oppose it. The Barons addressed for themselves, by means of their friends that were in credit. *Morton* and *Lindesay* in the winter following were pardoned at the request of the Earls of *Huntley* and *Argyle*.

The Castle of
Edinburgh
made choice
of for the
Queen her
lying in.

Now the time of the Queens lying in drew nigh, whereupon the Council meeting to advise upon the place where her Majesty should stay , made choice of the Castle of *Edinburgh*, as the part most commodious : and ordained the Earl of *Arrane*, who was there kept prisoner, to be removed to the Castle of *Hamilton* with a liberty to travel by the space of two miles about, providing he should do nothing to the prejudice of his house , and enter himself unto 20. days warning in the Castles of *Edinburgh*, *Dumbar*, and *Dumbarton*, or any of them ; for observance whereof the Earls of *Murray* and *Glencarn* became sureties.

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The Queen
feasts the No-
blemen.

The Queen
delivered of a
son.

Sir Henry Kil-
ligrew sent
from England.

The desire of
the Church for
the Baptisme
of the Prince.

The Queen at her first entrie into the Castle did feast the Nobility , and made them all friends: *Argyle*, *Murray*, and *Athol* had lodgings assigned them within the Castle. *Huntley*, *Bothwel*, and others of the Nobility remained in the Town. The 19. of *June*, betwixt nine and ten of the clock in the evening she was brought to bed of a son, to the exceeding joy of the subjects, for which the Nobles and whole people assembled the next day in the Church of *S. Giles* , gave solemn thanks to God. Presently was Sir *James Melvil* sent to carry the newes to the Queen of *England*, who to congratulate her safe and happy delivery , sent Sir *Henry Killigrew* to *Scotland* by Post. The Assembly of the Church convened the same time in *Edinburgh*, sent the Superintendent of *Lothian* to testify their gladnesse for the Princes birth, and to desire that he should be baptized according to the form used in the reformed Church. To this last she gave no answer, otherwise the Superintendent and his Commission were very graciously accepted. The Queen calling to bring the Infant that the Superintendent might see him , he took him in his Armes , and falling upon his knees conceived a short and pithy prayer , which was very attentively heard by her ; having closed his prayer, he took the babe , and willed him to say *Amen* for himself, which she took in so good part , as continually afterwards she called the Superintendent her *Amen*. This story told to the Prince when he came to years of understanding , he alwayes called him his *Amen* ; and whilest he lived, did respect and reverence him as his Spiritual Father.

The Queen
goeth to *Alloway*.

The Queen waxing strong went by water to *Alloway* , a house pertaining to the Earl of *Marre*, and kept private a few dayes. In that place brake out first her displeasure against the King her husband ; for he following her thither, was not suffered to stay , but commanded to be gone, and when at any time after he came to Court, his company was so loathsome unto her , as all men perceived she had no pleasure nor content in it ; such a deep indignation had possessed her mind, because of the disgrace offered to her in the slaughter of her servant *Davie*, the envy whereof was all laid upon the King, as she could never digest it.

Secretary *Le-
thington* foster-
eth her Ma-
jesties anger
against the
King.

Secretary *Lethington* (who by his subtle flatteries was crept again into favour) did wickedly foster this passion, by putting in her head a possibility to divorce from the King, which he said was an easie work, and a thing that might be done, only by abstracting the Popes dispensation of their marriage. And the Earl *Bothwel* (a man sold to all wickednes) did likewise by himself and by his instruments (of whom Sir *James Balfour* was the chief) take all occasions to incense her , and by exaggerating the Kings ingratitude towards her, wrought her mind to an hatred implacable.

The Queen
goeth to *Fedburgh*.

Lethington re-
neweth the pur-
pose of divers.

In the beginning of *October* the Queen went to *Fedburgh* , to keep some Justice Courts, where she fell dangerously sick, the King coming there to visit her , had no countenance given him, and was forced to depart. At her return from the Borders being in *Craigmillar*, *Lethington* renewing the purpose of divorce in the hearing of the Earls of *Argyle* and *Huntley* , did perswade her to take some course for her separa-
tion

tion from the King, seeing they could not live together in *Scotland* with security. *An. 1566.*
 The Queen asking him how that could be done without some blemish to her honour: he replied, that none would think ill of her part therein, she being so ungratefully used by him; but that all might know the murder of *Davie* to have been his fact, her Majesty should do well to pardon the Lords, that were fled to *England*, and call them home. Nay said the Queen, I will rather have matters to continue as they are, till God remedie them. Yet within few days *Morton* and *Lindesay* were recalled at the intreaty of the Earls of *Argyle* and *Huntley*, as was touched before.

Preparation was then making for the Baptisme of the Prince, who about the end of *August* had been transported to *Striveling*. To honour this solemnity, the *Comte de Briance*, was sent Ambassadour from the *French King*, *Monsieur de Croke*, from the Duke of *Savoy*, and the Earl of *Bedford* from the Queen of *England*, who brought with him a Font of gold weighing two stone weight, with a *Bason* and *Ewer* for the Baptisme. At the day appointed for the solemnity, (which was the fifteenth of *December*) they all convened in the Castle of *Striveling*. The Prince was carried by the *French* Ambassadour, walking betwixt two ranks of Barons and Gentlemen that stood in the way from the Chamber to the Chappel, holding every one a proket of wax in their hands. The Earl of *Athol* went next to the *French* Ambassador, bearing the grear sierge of wax. The Earl of *Eglinton* carried the Salt, the Lord *Semple* the Cude, and the Lord *Ross* the *Bason* and *Ewer*: all these were of the *Romane* profession. In the entry of the Chappel the Prince was received by the Archbishop of *S. Andrews*, whose Collaterals were, the Bishops of *Dunkeld*, *Dumblane*, and *Ross*; there followed them, the Prior of *Whithern*, sundry Deans and Archdeacons, with the Gentlemen of the Chappel in their several habits, and Copes. The Countesse of *Argyle* by Commission from the Queen of *England*, did hold up the Prince at the Font, where the Archbishop did administer the Baptisme with all ceremonies accustomed in the *Romane* Church, the spittle excepted, which the Queen did inhibit. The Earl of *Bedford* entered not in the Chappel, during the service; and without the dores stood all the Noblemen, professors of the reformed Religion. The rites performed, the Prince was proclaimed by his name and Titles. *James*, Prince and Stewart of Scotland, Duke of *Rothsay*, Earl of *Carrick*, Lord of the *Isles*, and Baron of *Renfrew*: then did the Musick begin, which having continued a good space, the Prince was again conveyed to his chamber.

Preparation
for the Princes
Baptisme.

It was night before the solemnity took end, for it was done in the afternoon. The feasting and triumphal sports that followed, were kept some days with exceeding cost and magnificence, yet the content the people received thereby was nothing so great, as their offence for the Kings neglect; for neither was he admitted to be present at the Baptisme, nor suffered to come unto the feast. To some his ill disposition was given for an excuse, others more scornfully were told that his fashioners had not used the diligence they ought in preparing his apparel. Mean while the Ambassadors had a watchword given them, not to see nor salute him. And such of the Nobility as were known to bear him any favour, or out of their compassion did vouchsafe him a visit, were frowned upon by the Court. His Father advertised of these things, sent for him to come unto *Glasgow*, where he then remained; but scarce was he past a mile from *Striveling*, when a vehement pain seized on all the parts of his body, which at his coming to *Glasgow* was manifestly perceived to proceed of poison, that treacherously had been ministred unto him: for through all his body brake out blisters of a blewish colour, with such a dolour and vexation in all his parts, as nothing but death was a long time expected. Yet his youth and natural strength vanquishing the force of the poison, he began a little to convalesce, and put his enemies to other shifts, wherein shortly after (but to their own undoing) they prevailed.

The King
withheld from
the solemnity.

The King fall-
eth sick in the
way to *Glas-*
gow.

The report of what passed at *Striveling* coming to *Edinburgh*, where the Assembly of the Church was then gathered, did greatly offend the better sort; yet nothing grieved them so much, as a Commission granted to the Archbishop of *S. Andrews*, whereby he was reponed to his ancient jurisdiction in confirming Testaments, gi-

The Archbi-
shop of *S. An-*
drewes resto-
red to his pri-
viledges.

An. 1566.

The Churches
complaint for
the same.

ving collation to Benefices, and other such things as were judged in the spiritual Courts. The Assembly taking this greatly to heart, ordained a supplication to be made to the Nobility, and Lords of secret Councel, *professing Christ with them, and who had renounced the Romane Antichrist*, (I use the words of the superscription) for impeding the said Commission, and letting it to take effect. In this supplication they said, "That the causes judged in these Courts did for the most part pertain to the true Church, and that howsoever in hope of some good effect to have followed, the Church had overseen the Commission granted by the Queen in these matters to men who for the greater number were of their own profession, they would never be content that he whom they knew to be an enemy to Christ and his truth, should exerce that jurisdiction, seeing under the colour thereof, he might usurp again his own authority, and take upon him the judgement of heresie, in which case none could be ignorant what his sentence could be; wherefore their desire was, the Queen should be informed that this was a violation of the laws of the Realm, and the setting up again of the *Romane Antichrist*, whose authority and usurped power in an open and free Parliament had been condemned, which her Majesty also at her first arriving into this Realm, and since that time by divers Proclamations had expressly forbidden to be acknowledged; hereof they said if their honours should plainly and boldly admonish the Queen, using that reverence which was due from Subjects, and doing nothing in a tumult, they did perswade themselves, she would do nothing against Justice, and that such Tyrants should not dare once to appear in Judgement. But howsoever matters went, they humbly craved to understand their minds, and what they would do, if it should happen such wolves to invade the flock of Christ. This the summe of the supplication. I find not what answer it received, nor that the Bishop made any use of his Commission; but the change it seems which shortly after happened in the State, did quite frustrate the same.

Master Knox
goeth into
England.

Master Knox being licenced at this time to visit his sons, who were following their studies at Cambridge, did move the Assembly to write unto the Bishops of England in favour of some Preachers, who were troubled for not conforming themselves to the Orders of that Church. Because it will appear by the letter, in what esteem our reformers did hold the Church of England, and how farre they were from accounting the government thereof *Antichristian*, I thought meet to insert the same word by word.

A letter from
the Assembly
of the Church
to the Bishops
of England.

The Superintendents, Ministers, and Commissioners of the Church within the Realm of Scotland, to their Brethren the Bishops and Pastors of England, who have renounced the Romane Antichrist, and do professe with them the Lord Jesus in sincerity, wish the increase of the holy Spirit.

"BY word and writing it is come to our knowledge, Reverend Pastors, that divers of our brethren (amongst whom some be of the best learned within that Realm) are deprived from all Ecclesiastical function, and forbidden to preach, and so by you are stayed to promote the Kingdome of Jesus Christ, because their conscience will not suffer them to take upon them at the commandment of the authority, such garments as Idolaters in time of blindness have used in their idolatrous service; which rumour cannot but be most dolorous to our hearts, considering the sentence of the Apostle, *If ye bite and devour one another, take heed ye be not consumed one of another*. We purpose not at the present to enter into the Question which we hear is agitated with greater vehemencie by either party then well liketh us, to wit, whether such apparel is to be accounted amongst things indifferent, or not? But in the bowels of Jesus Christ we crave, that Christian charity may so far prevail with you, that are the Pastors and guides of Christs flock in that Realm, as ye do not to others, that which ye would not others did unto you.

"Ye

“ Ye cannot be ignorant how tender a thing Conscience is, and all that have knowledge are not alike perswaded: your conscience stirres not with the wearing of such things, but many thousands both godly and learned, are otherwise perswaded, whose consciences are continually stricken with these sentences: *What hath Christ to do with Belial? what fellowship is there betwixt light and darknesse?* If Surplice, Corner-cap, and Tipper, have been the badges of Idolaters, in the very act of their Idolatry, what have the Preachers of Christian liberty, and the rebuffers of superstition to do with the dregges of that *Romane* beast? yea, what is he that ought not to fear, either to take in his hand, or forehead, the print and mark of that odious beast?

An. 1566.

“ Our brethren that refuse such unprofitable apparel, do neither damne nor molest you, who use such vain trifles: if ye shall do the like to them, we doubt not therein you shall please God, and comfort the hearts of many, which are wounded with the extremity used against those godly brethren. Colour of Rhetorick or humane perswasion we use none, but charitably we desire you to call to mind the sentence of *S. Peter*. *Feed the flock of God which is committed to your charge, caring for it, not by constraint but willingly, not as being Lords of Gods heritage, but being examples to the flock.* We further desire you to meditate upon that sentence of the Apostle, *Give not offence, either to the Jewes, or to the Grecians, or to the Church of God.* In what condition ye and we both travel for the promoting of Christs Kingdom, ye are not ignorant, therefore we are the more bold to exhort you, to deal more wisely then to trouble the godly with such vanities. For all things which seem lawful, edify not. If the commandment of the Authority urge the consciences of you and our brethren, further then they can bear, we pray you remember that ye are called *the light of the world, and the salt of the earth.* All civil authority hath not ever the light of God shining before their eyes in their statutes and commandments, but their affections savour too much sometimes of the earth, and of worldly wisdom. Therefore we think that ye ought boldly oppose your selves, not only to all power that dare extoll it self against God, but also against all such as dare burthen the consciences of the faithful, further then God hath burthened them in his own word.

“ But we must confesse our offence, in that we have entered in reasoning further then we purposed and promised in the beginning, now therefore we return to our former humble supplication, which is, that our brethren who amongst you refuse these *Romish* ragges, may find of you who are Prelates such favour, as our head and Master commandeth every one of his members to shew to another: which we look to receive from your humanity, not only because ye will not offend Gods Majesty in troubling of your brethren for such vain trifles, but also because ye will not refuse the humble request of us your brethren and fellow-preachers; in whom albeit there appear no worldly Pompe, yet we suppose ye will not so farre despise us, but that ye will esteem us in the number of those that fight against the *Romane* Antichrist, and travel that the Kingdom of *Jesus Christ* may be every where advanced. The days are evil, iniquity aboundeth, and charity (alas) is waxed cold; Therefore ought we to watch the more diligently, for the hour is uncertain, when the Lord *Jesus* shall appear; before whom ye, your brethren and we must give an account of our administration. And thus in conclusion we once again crave favour to our brethren; which granted, ye shall command us in the Lord things of double more importance. The Lord *Jesus* rule your hearts in his true fear unto the end, and give unto you and us victory over that conjured enemy of all true religion, the *Romane Antichrist*, whose wounded head Satan by all means laboureth to cure again; but to destruction shall he and all his maintainers go by the power of our Lord *Jesus*, to whose mighty protection we heartily commit you. From our General Assembly at *Edinburgh* the twenty seventh of *December*, 1566.

To quiet the Ministers, who were daily complaining of their lack of provision, the Court made offer to the same Assembly of certain Assignations for their present relief, which were accepted under protestation, that the same should not pre-

Assignation of
Ministers Stipends.

judge

An. 1566.



The Queen
visith the
King at Glas-
gow.

He cometh to
Edinburgh, and
there is mur-
thered by Both-
wel.

A rumour dis-
perled by Both-
wel that Mur-
ray and Morton
had murdered
the King.

The names of
the murthereis
call forth in
the street.

The Earl of
Lenox solici-
teth the Queen
to take trial of
of the murther.

judge their right to the tithes, nor be accompted as a satisfaction for the same. For these they held to be the proper Patrimony of the Church, and so justly belong- ing thereto, as that they ought not to be paid to any others, under whatsoever colour, or pretext. But this protestation availed not, only it sheweth what was the judgement of the Church in that time concerning tithes.

The Queen in January following went to visit the King who lay sick at *Glasgow*. After some complainings he made of her unkindnesse, and a little chiding they kept for discontents passed, they did so lovingly reconcile, as the King, though he was not as yet fully recovered, was content to be transported to *Edinburgh*, and had a lodging prepared in a remote place of the Town, for his greater quiet, as was pre- tended. But he had not stayed there a fortnight, when *Bothwel* having conspired his murder, did come upon him in the night, as he lay asleep, and strangled him with one of his cubiculars, that lay in the chamber by him. The murder commit- ted, the two corpses were carried forth at a gate in the Town wall, and laid in an Orchard near by, and thereafter the house blown up with powder; the noise where- of did awake those that were sleeping in the furthest parts of the Town. The Queen not gone as yet unto her rest, convened the Noblemen that lodged within the Palace, and by their advice sent *Bothwell* with some others to enquire what the mat- ter was, (for he was returned to his Chamber before the blowing up of the house, having left some to fire the train, when he was past and gone away) many of all sorts did accompany him to the place, where finding the body of the King naked only, the upper part covered with his shirt, the rest of his apparel, and even his pantofles near by him, each one making a several conjecture, *Bothwel* would have it believed, that the violence of the powder had carried his body forth at the roof of the house unto that place; but this was against all sense, for not a bone of his whole body was either broken or bruised, which must needs have been after such a violent fall. Nor could it be perceived, that either the corps or garments were once touched with the powder. So it was manifest that his body and all were laid there by the hands of men. *Bothwel* returning, shewed the Queen what a strange thing had happened, ad- mired how it could be, and who they were committed the murder: she hearing it, retired to a private room, and went presently to bed.

Now he had provided some to carry the newes unto the borders, and to give out that the Earls of *Murray* and *Morton* were the chief contrivers of the murder: which rumour went currant in *England* for a while. Yet ere a long time passed, all was laid open, and he known to have been the principal actor himself. Proclama- tions were made promising large summes of money to those that would detect the murderers: whereunto the next night by a placard affixed on the Market Cross, an- swer was made, *That if the money should be consigned in the hands of an indifferent person, the murderers should be revealed, and the delator set to his name, and justify his accusation.* No notice being taken of this offer, voices were heard in the dark of the night, crying, that *Bothwel* had murdered the King, some drawing his portraict to the life, set above it this superscription, *Here is the murtherer of the King*, and threw the same into the streets. And there were some, that in all the publick places of the Town, affixed the names of the murderers, the principal as well as the accessaries. For the principal they named *Bothwel*; as accessaries, Sir *James Balfour*, and *Gilbert Balfour*, his brother, Mr. *David Chalmers Black*, Mr. *John Spence*, *Seigneur Francis Sebastian*, *John de Burdeaux*, and *Ieseph* the brother of *Davie*, which last four were of the Queens household. These things did so offend the Court, as neglecting the trial of the murder, they fell to the drawers of these portraiects and the authors of the libels. All the Painters and Writers were called for diagnosing the letters, and draughts; when nothing could be tried, to provide for afterwards against the like by a new edict, it was made capital to disperse libels for defaming any person in that fort, and to have, keep, or read any such that should happen to be affixed, or cast into the streets.

The Earl of *Lenox*, whilest these things were a doing, ceased not to solicit the Queen by his letters for taking trial of the murder, without delaying the same unto the time of Parliament, as she had purposed. Particularly he desired the Earl

of *Bothwell*, and others named in the libells and placard affixed on the door of the Senate-house, to be apprehended, and the Nobility assembled for their examination. *Bothwell* perceiving that he was now openly attached, did offer himself to triall, for which the 12. of *Aprill* was assigned, and the Earl of *Lenox* cited by the Justice to pursue according to the delation he had made. In the mean time to fortifie himself, he got the Castle of *Edinburgh* in his custody, upon the Earl of *Marre* his resignation, placing therein Sir *James Balfour*, whom he especially trusted. The Earl of *Marre* for his satisfaction had the Prince delivered in his keeping, and caried unto *Striveling*, where the Earl then lay heavily sick.

The Diet appointed for the triall being come, and the Court fenced as use is, *Bothwell* was empannelled. The Earl of *Lenox* being called compeired *Robert Cuninghame*, one of his domesticks, who presented in writing the Protestation following. *My Lords, I am come hither sent by my master, my Lord of Lenox, to declare the cause of his absence this day, and with his power as my Commission beareth. The cause of his absence is the shortness of time, and that he could not have his friends and servants to accompany him to his honour, and for the security of life, as was needfull in respect of the greatness of his partie. Therefore his Lordship hath commanded me to desire a competent day, such as he may keep, and the weight of the cause requireth; otherwise, if your Lordships will proceed at this present, I protest, that I may use the charge committed to me by my Lord my master, without the offence of any man. This is, that if the persons who pass upon the Assise and enquest of these that are entered on pannell this day, shall cleanse the said persons of the murther of the King, that it shall be wilfull error, and not ignorance, by reason it is notoriously known that these persons did commit that odious murther, as my Lord my master alledgeth. And upon this my protestation, I require an instrument.*

The Justice by the advice of the Noblemen and Barons appointed to assist in that judgement, did notwithstanding the said protestation grant process, whereupon the Noblemen chosen for the Jury were called. These were *Andrew Earl of Rothes*, *George Earl of Cathnes*, *Gilbert Earl of Casils*, *Lord John Hamilton* Commandator of *Aberbrothock*, *James Lord Ross*, *Robert Lord Semple*, *Robert Lord Boyd*, *John Lord Hereis*, *Laurence Lord Oliphant*, *John Master of Forbes*, with the Lairds of *Lochinvar*, *Langton*, *Cambusnetham*, *Barnbowgall*, and *Boyne*: the Earl of *Casills* excused himself, offering the penalty, which by the Law they pay that refuse to pass upon Assise, but could not obtain himself freed, the Queen threatening to commit him in prison, and when he seemed nothing terrified therewith, commanding him under pain of treason to enter and give his judgement with the rest. Thus were they all sworn and admitted, as the manner is; After which *Bothwell* being charged with the inditement, and the same denied by him, they removed forth of the Court to consult together, and after a little time returning, by the mouth of the Earl of *Cathnes* their Chancellour, declared him acquit of the murther of the King, and of all the points contained in the inditement, with a protestation, *That seeing neither Majesty's advocate had insisted in the pursuit, nor did Robert Cuninghame, Commissioner for the Earl of Lenox, bring any evidence of Bothwells guiltiness, neither yet was the inditement sworn by any person, and that they had pronounced according to their knowledge, it should not be imputed to them as wilfull error which they had delivered.* Mr. *David Borthwick*, and Mr. *Edmund Hay*, who in the entry of the Court were admitted as his prolocutours, askt instruments upon the Juries declaration; so he went from that Court absolved, yet the suspicions of the people were nothing diminished. And some indeed were of opinion, that the Judges could give no other deliverance, nor find him guilty of the inditement as they had formed it; seeing he was accused of a murther, committed on the 9. day of *February*, whereas the King was slain upon the 10. of that moneth. But he for a further clearing of himself set up a paper in the most conspicuous place of the market, bearing, *That albeit he had been acquitted in a lawfull Justice court of that odious crime laid unto his charge, yet to make his innocency the more manifest, he was ready to give triall of the same in single combat with any man of honourable birth and quality that would accuse him of the murther of the King.* The next day in the same place,

An. 1567.

The Castle of *Edinburgh* delivered to *Bothwell*, and the Prince delivered to the Earl of *Marre*.

Bothwell put to a triall.

Robert Cuninghame protesteth against the proceedings in the name of the Earl of *Lenox*.

The persons chused upon the Jury.

Bothwell acquitted with a protestation of the Jury.

Bothwell offereth to try his innocency by combat.

by

An. 1567.

The offer accepted upon security of the place.

A Parliament at Edinburgh.

Bothwell seeketh the consent of the Lords to the Queens marriage.

He ravisheth the Queen in her return from Striveling.

His design in committing this rape.

Bothwell his divorce from his wife.

The Queen cometh to the Castle of Edinburgh.

by another writing, answer was made, that the combat should be accepted, so as a place were designed wherein without danger the undertaker might profess his name.

The 13. of April a Parliament was kept for restoring the Earl of *Huntley*, and others to their estates and honours, which was not as yet done with the solemnity requisite. In this Parliament the Commissioners of the Church made great instance for ratifying the Acts concluded in favour of the true Religion, yet nothing was obtained: The Queen answering, that the Parliament was called for that onely business, and that they should have satisfaction given them at some other time. The Parliament being broke up, *Bothwell* inviting the Noblemen to supper did liberally feast them; and after many thanks for their kindness, fell in some speeches for the Queens marriage, shewing the hopes he had to compass it, so as he might obtain their consents. Some few to whom he had imparted the business before-hand, made offer of their furtherance, the rest fearing to refuse, and suspecting one another, set all their hands to a bond, which he had ready formed to that purpose.

A few dayes after, feigning an expedition into *Liddisdale* he gathered some forces, and meeting the Queen on the way as he returned from *Striveling*, whither she had gone to visit her son, he took her by way of rape and led her to the Castle of *Dumbar*. No men doubted but this was done by her own liking and consent, yet a number of Noblemen convening at *Striveling*, lest they should seem deficient in any sort of their duties, sent to ask whether or not she was there willingly detained? for if she was kept against her will, they would come with an Army and set her at liberty; She answered, *That it was against her will that she was brought thither, but that since her coming she had been used so courteously, as she would not remember any more that injury.*

Now this rape (as afterwards came to be known) was devised to secure the murderers of the King. For it being held sufficient by a custome commonly received, that in remissions granted for crimes committed, the most hainous fact being particularly expressed, others of less moment might be comprehended in generall words, they were advised to pass a remission for violence offered to the Queen, and the laying of hands upon her person, then to subjoyn, [*And for all other crimes and nefarious acts whatsoever:*] under which clause, they esteemed the murder of the King might be comprised, which otherwise was neither safe for them to express, nor could the Queen with her honour pardon. Thus did they think both that *Bothwell* himself should be secured and safety to all his partakers in the Murder.

Whilest the Queen was detained at *Dumbar*, a divorce was sued for *Bothwell* from Lady *Jeane Gordon* his wife, in two severall Courts. In the one sate by Commission from the Archbishop of *St. Andrews*, *Robert* Bishop of *Dunkeld*, *William* Bishop of *Dumblane*, *Mr. Archibald Crawford* Parson of *Egilsham*, *Mr. John Manderstor* Chanon of the Colledge Church of *Dumbar*, *Mr. Alexander Chrichton*, and *Mr. George Cooke*, Chanons of the Church of *Dunkeld*. In the other Court *Mr. Robert Martland*, *Mr. Edward Henryson*, *Mr. Alexander Sim*, and *Mr. Clement Little*, Judges constitute by the Queens authority, in all causes consistoriall: and in both Courts was the sentence of divorce pronounced, but upon divers grounds. In the Archbishops Court sentence was pronounced upon the consanguinity standing betwixt *Bothwell* and his wife, at the time of her marriage, they mutually attaining others in the fourth degree, and no dispensation granted by the Pope for consummating the same; In the other Court the sentence was grounded upon adultery committed by him, which these Judges held to be the only lawfull cause of divorce: both the processes were posted, and such festination made in them, as in the space of ten dayes they were begun and concluded.

The divorce passed, the Queen came to the Castle of *Edinburgh*, and the next morning *Bothwell* sent to ask his banes with the Queen. The Reader *John Cairnes*, whose office it was, did simply refuse; thereupon *Mr. Thomas Hepburn* was directed to the Minister *Mr. John Craig*, to desire him to publish the same. The Minister likewise refusing, as having no warrant from the Queen, and for that the rumour went, that she was ravished, and kept captive by *Bothwell*, upon wednesday thereafter,

ter, the Justice Clerk came unto him with a letter signed by the Queen, wherein she declared that she was neither ravished, nor detained captive, and therefore willed him to publish the banes; his answer was, *that he could ask no banes, especially such as these were, without the knowledge and consent of the Church.* The matter being motioned in the Session of the Church, after much reasoning kept with the Justice Clerk, it was concluded that the three next preaching dayes, the Queens minde should be intimated to the people.

An. 1567.

The banes of Bothwell with the Queen asked.

Mr. John Craig protested.

The Minister protested, *that in obeying their desire it should be lawfull to him to declare his own mind touching the marriage, and that he should not be tied by that asking of their banes to solemnize the same.* The first preaching day falling to be friday, in the hearing of divers Noblemen, and Counsellors, he shewed what he was enjoined to do; *That he held the marriage betwixt the Queen and Bothwell unlawfull, whereof he would give the reasons to the parties themselves, if he might have hearing; and if this was denied, he said, that he would either cease from proclaiming their banes, or declare the cause of his disallowance in the bearing of all the people.*

The same day at after-noon being called before the Councell, and required by Bothwell, to shew what reason he had to oppose his marriage; he answered, *First, that the Church had in the last Assembly inhibited the marriage of persons divorced for adultery. Next he alledged the divorce from his wife to have proceeded upon collusion betwixt them, which appeared, as he said, by the precipitation of that sentence, and the contract made so suddenly after his divorce with the Queen. Thirdly, he laid to his charge, the rape of the Queen, and the suspicion of the Kings murther, which that marriage would confirm.* For these reasons he most gravely admonished him to surcease and leave that course, *as he would eschiew the wrath and indignation of Almighty God.* He desired also the Lords present, to advertise the Queen of the infamy and dishonour that would fall upon her by that match, and to use their best means to divert her from it.

Mr. Craig called before the Councell with the reasons of his opposition.

The Sunday following, publicly he declared what he had spoken in Councell, and that it seemed to him they would proceed in the marriage, what mischief soever should ensue. *For himself, he said, that he had already liberated his conscience, and yet again would take heaven and earth to record, that he abhorred and detested that marriage as scandalous and hatefull in the sight of the world. But seeing the great ones as he perceived did approve it, either by their flattery, or by their silence, he would beseech the faithfull to pray fervently unto God, that he might be pleased to turn that which they intended against Law, reason, and good conscience, to the comfort and benefit of the Church and Realme.* These speeches offended the Court extremely; therefore they summoned him to answer before the Councell, for passing the bounds of his Commission; *For the bounds, said he, of my Commission, are the Word of God, good Lawes, and naturall reason; and by all three I will make good, that this marriage, if it proceed, will be hatefull and scandalous to all that shall hear of it.* As he was proceeding in his discourse, Bothwell commanded him silence, and thus was he dimitted.

His publication thereof to the people.

Nottheless of this opposition the marriage went on, and was celebrated the 15. of May by Adam Bishop of Orkney, in the Palace of Halirudhouse, after the manner of the reformed Church. Few of the Nobility were present, (for the greater part did retire themselves to their houses in the Countrey) and such as remained, were noted to carry heavy countenances; *Monsieur le Crock* the Ambassadour being desired to the feast, excused himself, thinking it did not sort with the dignity of his Legation to approve the marriage by his presence, which he heard was so universally hated. His Master the French King, as likewise the Queen of England, had seriously dissuaded the Queen from the same by their Letters; but she led by the violence of passion, and abused by the treacherous counsell of some about her, who sought only their own ends, would hearken to no advice given her to the contrary. Yet was it no sooner finished, then the ill fruits thereof began to break out: for the wonted acclamations and good wishes of the people were no more heard, when she came in publick; and divers that had set their hands and seals to the marriage, fell now openly to condemn it, as that which ministred too just a suspicion, that she was consenting to the death of the King her husband.

The marriage of the Queen with Bothwell celebrated.

The

An. 1567.

The Noblemen's bond for preservation of the young Prince.

The Earl of *Athol* immediately after the murder of the King had forsaken the Court, and lived at home, waiting some occasion to be revenged of the doers, and now esteeming it fit to shew himself, he came to *Striveling*, where in a meeting of Noblemen that were desired to come thither, upon his motion a bond was made for the preservation of the young Prince, lest *Bothwell* getting him in custody, should make him away, as no man doubted he would, as well to advance his own succession, as to cut off the innocent childe, who in all probability would one day revenge his fathers death.

The Bishop of *Dumblane* sent to *France*.

The principals of this combination, were the Earls of *Argile*, *Atholl*, *Morton*, *Marre* and *Glencarne*, with the Lords *Lindesay* and *Boyd*. But *Argile* out of a facility (which was naturall unto him) detected all their counsells to the Queen; and the Lord *Boyd* with great promises was won to the adverse party. *Bothwell* suspecting some insurrection, advised the Queen for saving her reputation in forain parts, to acquaint the *French* King and her kinsmen of the house of *Guise*, with her marriage, and the reasons thereof, desiring them, sith that which was done, could not be again undone, to favour her husband no less then they did her self. And to this effect the Bishop of *Dumblane* was sent into *France*, with letters to all her friends.

Noblemen solicited to enter in bond with the Queen and *Bothwell*.

Neither did he admit to do at home, what he thought might serve to fortifie himself; for divers Noblemen and Barons were invited to Court, and at their coming solicited to enter into bond for the defence of the Queen and *Bothwell*, who should on the other part be obliged to protect them in all their affairs. Some of these being wrought to the purpose, did set their hands willingly to the bond: the rest, though they would gladly have shunned it; yet because they held it dangerous to refuse, subscribed in like sort. Onely the Earl of *Murray* of all that were called, denied to enter in any bond with the Queen; it being neither lawfull for him, as he said, nor honourable for her, whom in all things it was his duty to obey. Concerning *Bothwell*, he said, that he was reconciled unto him by the Queens mediation, and would faithfully keep all that he had promised: but to enter in bond with him or any other, he did not think it the part of a good subject. Shortly after this he obtained leave, howbeit not without some difficulty, to go into *France*; for he saw troubles breeding, in which he loved not to have an hand.

The Earl of *Murray* refused and is licensed to goe into *France*.

The Queen maketh choise of a Councell.

How soon he was gone choice was made of a new Councell, and the Archbishop of *St. Andrewes*, with the Lords *Oliphant* and *Boyd*, received into the number: for their better and more easie attendance, they had their times of waiting particularly assigned.

The order of their attendance.

The Earls of *Crawford*, *Arroll* and *Casils*, with the Bishop of *Rofs*, and the Lord *Oliphant* were appointed to begin, and attend from the 1. of *June* to the 16. of *July*. The Earls of *Morton* and *Roths*, with the Bishop of *Galloway*, and the Lord *Fleming*, were to succeed and remain from the 16. of *July* to the penult of *August*; After them the Archbishop of *St. Andrews*, the Earls of *Argile*, and *Cathnes*, with the Lord *Hereis*, to the 15. of *October*. And from that day to the 1. of *December*, the Earl of *Hunsley*, (who was then created Chancellour) the Earls of *Atholl*, *Marshall*, and Lord *Boyd* were appointed to wait: at which time *Crawford* and *Arroll* were again to begin, and the rest to follow in their order for the same space. So as during the whole year, the Counsellours should be tied to the attendance of 3 moneths onely. It was alwayes provided that so many of the forenamed persons as happened to be at Court, should during their abode, notwithstanding of their severall assignments, be present with the others; And that it should be lawfull for the Queen to adjoyn at any time such as she thought worthy of that honour. The same day a Proclamation was given out, Declaring all writings purchased from the Queen for permitting Papists to use the exercise of their Religion, to make no faith, her Majesty being no way minded to violate the Act made at her first arrivall, and often since that time, renewed in favours of the true Religion. But this did not repress the murmurs of the people, for which it was specially intended.

A Proclamation to accompany the Queen to the borders.

Wherefore some few dayes after the Queen by *Bothwells* perswasion taking purpose to visit the borders, and having charged the subjects to accompany her thither with

with a provision for 15. dayes according to the custome, it was publickly rumored, that these forces were gathering for some other business, and that the intention was, to have the Prince her son in her own custody, and taken out of the Earl of *Marre* his hands. So as a new Declaration came forth, “ To certify the people of
 “ her good affection, and that she never meant to make any novations in the
 “ Kingdom, by altering the lawes thereof, nor do any thing in the publick affairs,
 “ but by the advice of the Noblemen of her Councel. And for her sonne, as
 “ she had trusted him to such a Governour as other Princes in former times
 “ were custome to have, so her motherly care for his safety and good education
 “ should be made apparent to all. But no regard was had to these Declarations,
 and the Noblemen who had combined themselves at *Striveling*, taking Armes,
 and being assisted by the Lord *Home*, environed on the suddain the Castle of *Borth-*
wick, wherein the Queen and *Bothwell* were then remaining: yet their companies
 not sufficing to inclose the house (for *Athol* did not keep the Diet) *Bothwell* first esca-
 ped, and after him the Queen disguised in mans apparel fled to *Dumbar*.

An. 1567.

The Castle of
Borthwick in-
vironed.The Queen &
Bothwell
escape.The Lords re-
tire to *Edin-*
burgh.

The Lords upon their escape retired to *Edinburgh*, where they expected the rest of their forces would meet. There lay in the Town at that by the Queens direction, the Earl of *Huntley*, the Archbishop of *S. Andrews*, the Bishop of *Ross*, the Abbot of *Kilwinning*, and the Lord *Boyd*: How soon they heard of the Lords coming, they went to the street offering themselves to conduct the people, and to assist them in the defence of the Town; but they found few or none willing to joyn with them, and the peoples affections wholly inclining to the Lords. The Magistrates gave order to shut the gates, but no further resistance was made; so as the Lords entering by the gate called *S. Mary port*, which was easily broke up, they made themselves Master of the Town. *Huntley* and the rest taking their refuge to the Castle, were received by the Keeper, (Sir *James Balfour*, a man much trusted by *Bothwell*) though at the same time he was treating with the Lords for delivering the Castle into their hands.

The next day being the 12. of *June*, the Lords gave out a Proclamation, wherein they declared, “ That the Earl of *Bothwell* having put violent hands in the
 “ Queens person, warded her highnesse in the Castle of *Dumbar*, and retaining her
 “ in his power, had seduced her, being destitute of all counsel, to an unhoneft
 “ and unlawful marriage with himself, who was known to have been the principal
 “ authour, deviser, and actor in the cruel murther committed upon the late
 “ Kings person; and that he was daily gathering forces, and strengthening himself
 “ by all means, of purpose, as appeared, to get in his hands the young Prince, that
 “ he might murther him in the like sort, as he had done his Father: which the
 “ Nobility of the Realm had resolved to withstand, and to deliver the Queen
 “ out of his bondage. Therefore did they charge all and sundry the Lieges within
 “ the Kingdom to be in readinesse upon three houres warning, to assist the said
 “ Noblemen for delivering the Queen from captivity, and bringing the said Earl
 “ and his Complices, to underlie the trial and punishment of Law for the foresaid
 “ murther. Commanding all such as will not joyn with the said Noblemen, to
 “ depart forth of the Town of *Edinburgh* within four hours after the publication
 “ made, under the pain to be reputed as enemies, &c.

A Proclama-
tion given out
by the Lords.

But the Queen having escaped, as we shew, there resorted to her from all quarters numbers of people, so as within few houres she had an Army about her of 4000. men and above, a force sufficient to oppose the enterprisers. The Lords on the other side, were cast into many difficulties; for the heat of the common sort of people being quickly cooled, as ordinarily it happeneth, and the greater part of the Nobility being either enemies, or behaving themselves as Neuters; few of them came to offer their assistance: yea had they been never so many, lacking munition and other necessary provisions for the besieging of forts, they saw no way to attain to their purpose; whereupon they began to think upon dissolving their forces, and quitting the enterprife, at least for that time. But the resolution which the Queen took, altered their counsels, and gave them the opportunity they wished for. She partly confiding in her power and numbers, and partly animated by a sort of flatterers,

The Queen
gathereth for-
ces.Difficulties
amongst the
Lords.

T

who

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The Queen
giveth them the
opportuni y
they wished
for.

The Procla-
mation of
Glaidsmore.

who made her believe, that the Lords would flee upon the first bruit of her coming, resolved to march with her Army to *Leith*: whereas nothing had been so much to her advantage as a little protracting of time; for had she remained three days longer at *Dumbar*, the Lords without all peradventure had retired every one to his home. But where mutations are destined, the worst counsels seem ever the best, and are most readily embraced.

Being advanced so farre as *Glaidsmore* (where she caused muster her forces) a Proclamation was made, bearing, *That a number of Conspirators having discovered their latent malice, borne to her and the Duke of Orkney her husband, after they had failed in apprehending their persons at Borthwick, had made a seditious Proclamation, to make people believe that they did seek the revenge of the murder of the King her late husband, and the relieving of her self out of bondage and captivity, pretending that the Duke her husband was minded to invade the Prince her sonne, all which were false, and forged inventions, none having better cause to revenge the Kings death then her self, if she could know the authors thereof. And for the Duke her present husband, he had used all means to clear his innocency, the ordinary Iustice had absolved him, and the Estates of Parliament approved their proceedings, which they themselves that made the present insurrection, had likewise allowed. As also he had offered to maintain that quarrell against any Gentleman on earth undefamed, then which nothing more could be required. And as to her alledged captivity, the contrary was known to the whole subjects, her marriage with him being publicly contracted, and solemnised with their own consents, as their hand writs could testify. Albeit to give their treason a fair shew, they made now a buckler of the Prince her sonne being an infant, and in their hands; whereas their intention only was to overthrow her and her posterity, that they might rule all things at their pleasure, and without controlment. Seeing therefore no wilfulnesse, nor particularity, but very necessity had forced her to take Armes for defence of her life, as her hope was to have the assistance of all her faithful subjects against those unnatural rebels, so she doubted not but such as were already assembled, would with good hearts stand to her defence, considering especially the goodness of her cause, promising them in recompence of their valorous service the lands and possessions of the Rebels, which should be distributed according to the merit of every man.*

The Lords
call themselves
in the Queens
way.

The order of
the Lords A-
my.

The meeting
at Carberry hill.

This proclaimed, the Army did set forward, the Queen lodging that night in *Seaton* a little before midnight; word was brought to *Edinburgh* of the Queens approach; who without long suspence made to their Armour. And at Sun rising, putting themselves in order, they marched directly to *Mussilburgh*, a Village two miles distant from *Preston*; there they refreshed themselves with food, and a little rest; for the Queens Camp was not as yet stirring. About the middest of the day the horsemen who were sent to observe when the Queens Army did advance, brought word that they were marching. The Lords thereupon made haste, and drawing their companies forth of the Village, ranged them in two battels. The first was conducted by the Earl of *Morton*, and the Lord *Home*, the second by the Earls of *Athol*, *Marre*, and *Glencarn*, the Lords *Lindsay*, *Ruthven*, *Semple*, and *Sanghuar*, with the Lairds of *Drumlanrig*, *Tulibardin*, *Selfourd*, *Grange*, and divers others of good sort were assisting, in number not much inferiour to the Queens Army, and in this superiour, that the most part of them were Gentlemen practised, and of good experience in warre. The Queen stood with her Army on the top of the hill called *Carberry* hill, which the Lords because of the ascent wherewith it riseth, could not come at in a direct course, but to their disadvantage; wherfore they inclined a little to the right hand, both to find a more plain way, and to get the Sun in their backs, when they should come unto the fight. This deceived the Queen, who supposing they were flying towards *Dalkenb*, a little Village pertaining to the Earl of *Morton*, but when they were past the strait of the hill, and that she saw them making directly to the place where she with her Army stood, she perceived her errour.

The French
Ambassadour
laboureth to
compose mat-
ters.

The French Ambassadour seeing them ready to joyn, interposed himself, and coming to the Lords, desired that matters might be composed without bloodshed, for the good of both parties; saying, that he found the Queen peaceably inclined, and disposed, both to forgive the insurrection they had now made, and to forget all by-past offences. The Earl of *Morton* replied, *That they had taken Armes,*

not

not against the Queen, but against the murderer of the King, whom if she would deliver to be punished, or then put him from her company, she should find nothing more desired of them, and all other subjects, then to continue in their dutiful obedience towards her; otherwise no peace could be made: Neither are we come, said he, to ask pardon for any offence that we have done, but rather to give pardon to these that have offended. The Ambassadour perceiving this to be their resolution, and judging it reasonable which they required, but not like to be obtained, took his leave and departed to Edinburgh.

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During the Treaty of the French Ambassadour, the Queens Army keeping within the trenches, that the English of old had made, Bothwel advanced himself upon a strong and lusty horse, appealing any one of the adverse party to single combat. James Murray brother to Tulibardie (he that before had offered himself to fight, but suppressed his name, as we shewed) made answer, that he would accept the challenge. Bothwelre fusing to hazard with him, as not being his equal in honour and estate, William Murray his eldest brother made offer to take his place, saying, that in wealth he was not inferiour to Bothwel, and for antiquity of his house, and honesty of reputation, he esteemed himself more then his equal; yet he likewise was refused, as being a Knight only, and of a lower degree. Divers Noblemen did thereupon offer themselves; the Lord Lindefay especially shewed a great forwardnesse, desiring he might be permitted to try himself with Bothwel, which he would take as a singular honour, and esteem it as a recompence of all his service done to the State. Here when as Bothwel could not honestly shift the combat, the Queen interposing her authority, did prohibit him to fight. Thereafter taking a view of the Army on horseback, and encouraging them to battel, she found Bothwels friends and followers very desirous to fight; but in the rest there appeared no such willingness, some saying that the battel would prove dangerous to the Queen, because howsoever Gentlemen were ready to hazard themselves, the Commons who were the greatest number, seemed not to be so disposed, nor well affected to the cause. Others more plainly declaring their minds, said that it were much better that Bothwel should defend his own quarrel by combat, then to expose the Queen and so many Gentlemen to peril. And there were some that counselled to delay the battel to the next day, for that the Hamiltons were said to be coming, who would greatly increase her forces.

Bothwel offereth to try the cause in combat.

It is accepted, and the Queen inhibiteth the fight.

The Queens Army unwilling to fight,

All these things the Queen heard impatiently, and bursting forth in many tears, said, they were but cowards and traitors. After which, perceiving divers of the Army to steal away, she advised Bothwel to look to his own safety, for she could render her self to the Noblemen. Then sending for William Kircaldy of Grange, she talked with him a good space, and when she thought Bothwel was past all danger, went with him to the Lords unto whom she spake on this manner. My Lords, I am come unto you not out of any fear I had of my life, or yet doubting of the victory if matters had gone to the worst, but I abhorre the shedding of Christian blood, especially of those that are my own subjects; and will therefore yield unto you, and be ruled hereafter by your counsels, trusting you will respect me as your born Princeesse and Queen. They receiving her with the wonted reverence, answered dutifully at first, but when she could not be permitted to go unto the Hamiltons (whom she had a desire to see) although she gave her promise to return, and so found her liberty restrained, she waxed angry and fell a complaining of their ingratitude. They replied nothing, but taking their way towards Edinburgh, led her along with them, and kept her that night in Craigmillar his lodging, who was then Provost of the Town. It was night before they came thither, albeit the day was then at the full length, because of the stayes she made by the way, either looking for some relief by the Hamiltons, as many supposed; or not liking to be gazed on by the multitude, and seen in the estate of a prisoner. The next day towards the evening, she was by the direction of the Noblemen sent to be kept in the house of Lochlevin, and conveyed thither by the Lords Ruthven and Lindefay, because Balfour had not as yet transacted with the Lords upon the delivery of the Castle of Edinburgh,

Bothwel flyeth, and the Queen rendereth her self to the Lords.

The Queen sent prisoner to Lochlevin

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Sir James Balfour betrayeth his trust to Bothwell.

The Earl of Glencarn demolisheth the Altar.

The Lords write to the Noblemen of the Queens party.

The Noblemen made a motion to the Assembly, and the Assemblies Commission to the Lords.

Instructions given to those that were sent from the Assembly.

though even then he betrayed the trust which *Bothwell* had in him. For how soon it was known that the Queen was made prisoner, *Bothwell* having sent one of his servants to the Castle to bring a little silver Cabinet which the Queen had given him, and wherein he reserved all the letters she had written unto him at any time, *Balfour* delivered the Cabinet to *Bothwells* servant, but withall advertised the Lords what he carried, and made him to be apprehended. These Letters were afterwards divulged in Print, and adjected to a libel intituled, *The detections of the doings of Queen Mary*, penned with great bitternesse by Mr. *George Buchanan*.

Some two days after the Queen was committed, the Earl of *Glencarne* taking with him his domesticks only, went to the Chappel of *Halvudhouse*, and demolished the Altar, breaking the pictures and defacing all the ornaments within the same. The Preachers did commend it as a work of great piety and zeal, but the other Noblemen were not a little displeased, for that he had done it without direction, and before they had resolved how to deal with the Queen; neither did matters frame with them according to their expectation, divers of the Nobility, of whose assistance they held themselves assured, lying back, and giving no concurrence: And those that favoured the Queen (of which number were the Earls of *Argile*, *Huntley*, and many others who were at the same time at *Hamilton*,) professing open enmity, and condemning the action as a crime of the highest treason that could be committed. The common people also, who a little before seemed most incensed, pitying the Queens estate, did heavily lament the calamity wherein she was fallen. In this uncertainty of things, they resolved to write unto the Lords convened at *Hamilton*, and intreat their concurrence for reordering of the estate, and establishing of matters by a common consent; But neither would they admit the messenger, nor receive their letters so highly did they offend with their proceedings, and so confident they were to repair things by their own power.

The Noblemen hereupon made a motion to the Assembly of the Church, which was then convened at *Edinburgh*, to deal with those of the other faction, and perswade them to a general meeting for matters of the Church, wherein they hoped some good might be done, and all occasions of civil discord removed. The Assembly liking well the motion, condescended to prorogue their meeting unto the 20. of *July* next, and in the mean season, to direct letters to the Earls of *Argile*, *Huntley*, *Cathnes*, *Roths*, *Crauford*, and *Menteith*; The Lords *Boyd*, *Drummond*, *Hereis*, *Cathcart*, *Yester*, *Fleming*, *Levingston*, *Seaton*, *Glamis*, *Ochiltree*, *Gray*, *Oliphant*, *Methuen*, *Innermaith* and *Sommervale*, and to the Commendators of *Aberbrothock*, *Kilwinning*, *Dunfermling*, *S. Cobuik*, *Newbottle*, and *Halvudhouse*, who did either assist the adverse party, or then behaved themselves as Newters. To procure the greater respect to these Letters, *John Knox*, Mr. *John Douglas*, Mr. *John Row*, and Mr. *John Craig*, were chosen Commissioners, and had instructions given them to this purpose. "That Satan by his instruments, had of long time and by many subtle ways laboured to hinder the progresse of true Religion within this " Realm, and that now the same was in hazard to be utterly subverted, chiefly " through the poverty of the Ministers, that ought to preach the word of life un- " to the people, some being compelled to leave their vocation, and betake " them to civil callings, others so distracted through worldly cares, as they could " not wait upon the preaching of the word so diligently as they wished; In con- " sideration whereof the Assembly of the Church being convened at *Edinburgh*, " had thought it necessary to prorogue their meeting to the 20. of *July*, and " to intreat and admonish all persons truly professing the Lord *Jesus* within " the Realm, as well Noblemen as Barons, and those of the other estates, to " meet and give their personal appearance at *Edinburgh* the said day, for giving " their advice, counsel and concurrence in matters then to be proponed; espe- " cially for purging the Realm of Popery, the establishing of the policy of the " Church, and restoring the Patrimony thereof to the just possessors. Assu- " ring

“ring those that should absent themselves at the time, due and lawful advertisement being made, that they should be reputed hinderers of the good work intended, and as dissimulate professors be esteemed unworthy of the fellowship of Christs flock: considering chiefly that God in his mercy had offered a better occasion for effecting these things, then in times past, and that he had begun to tread downe Satan under foot. This they were willed to speak, and by all faire perswasions, to move them to keep the day and place appointed.

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The missive letters were for the most part to the same effect, but in these, besides the provision of the Ministers, I find the *poor and indigent members of Christ* also mentioned, and somewhat said concerning an *union to be made amongst the professors, and such a conjunction as might make them able to withstand the craft and violence of their enemies*. But neither did the letters nor the credit given to the Commissioners prevaile with those to whom they went, all almost excusing themselves (some by word, others by letter) and saying, “That in regard of the present division caused by the Queens imprisonment; and that the Town of *Edinburgh*, where they were required to meet, was straitly kept by a part of the Nobility, and some hired souldiers, they could not come to the place appointed without trouble and danger of their lives. Notthelesse they did assure the Church of their willingnesse to every thing, that might serve to advance the Gospel, and further the provision of the Ministers, for the better and more diligent attendance on their callings. The Earl of *Argyle* did answer more particularly, and touching the policy desired, that *no novations, nor alterations should be made before a generall meeting of the Estates*. In like sort the Lord *Boyd* did by his answer promise *to hold hand to the forth-setting of the policy*, but with an exception, *so farre as it might stand with law*. Yet had both the one and other ratified the book of Policy by their subscriptions long before, and made no scruple either of law or custome at that time. The Noblemen that remained at *Edinburgh*, perceiving they could not be drawn to a meeting, resolved to prosecute their purpose at all hazards, and joyning with the Assembly, condescended to all the Articles proponed for the good of the Church, and made great promises of performance; howbeit having once attained their ends, they did forget all, and turned adversaries to the Church in the same things whereunto they had consented. Always the Articles agreed unto, were as followeth.

The Earl of Argyle his answer.

The Lord Boyd his answer.

1. That the Acts made in the Parliament holden at *Edinburgh* the twenty fourth of *August*, 1560. touching Religion and the abolishing of the Popes authority, should be extracted forth of the Registers, and have the force of a publick law; and that the said Parliament in so farre as concerning Religion, should be maintained and defended by them, as a Parliament lawful, and holden by sufficient commission from the Queen, then being in *France*, and be ratified in the first Parliament, which should happen to be kept within the Realm.

Articles agreed in the Assembly of the Church.

2. That untill perfect order might be taken for restoring the Patrimony of the Church, the Act of assignation of the thirds of Benefices for the sustentation of the Ministry, should be put in due execution.

3. That an Act of Councell made with consent of her Majesty, touching the conferring of small Benefices within the value of 300. marks to Ministers, should be put in practice; as likewise the Act for annualls, obits, and aulterages, especially within Burghes.

4. That in the first lawfull Parliament which should be kept, or sooner if occasion might serve, the Church of Christ within this Kingdome should be fully restored unto the Patrimony belonging to the same, and nothing be past in Parliament before that and other matters of the Church were first considered and approved; In the mean while the Noblemen, Barons and other Professors then present, did willingly offer, and consent to reform themselves in the matter of the Church patrimony according to the Book of God, and to put the same in practice

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for their own parts, ordaining the refusers and contraveners of the same to be secluded from all benefits of the Church. It was further agreed, That in the next Parliament, or otherwise at the first occasion order should be taken for the ease of the labourers of the ground, in the payment of their Tithes, and that the same should not be disposed to any others without their advice and consent.

5. That none should be permitted to beare charge in Schooles, Colledges, and Universities, nor allowed publickly or privately to instruct the youth, except such as should first be tried by the Superintendents, and Visitors of the Church, who being found meet should be admitted by them to their charges.

6. That all crimes and offences committed against the Law of God should be severely punished, according to the Word of God, and Judges deputed for execution thereof; or if there be no lawes as yet made, nor Judges appointed for the punishment of such crimes, that the same should be done in the first Parliament.

7. That seeing the horrible murder of the King her Majesties husband is a crime most odious before God, and tending to the perpetuall shame and infamy of the whole Realm, if the same should not be exemplary punished; the Noblemen, Barons and other Professors should imploy their whole forces, strength and power for the just punishment of all, and whatsoever persons that should be tried and found guilty of the same.

8. Sith it hath pleased God to give a native Prince unto the Countrey, who in all appearance shall become their King and Sovereign, lest he should be murdered and wickedly taken away as his father was; the Nobility, Barons, and others under subscribing should assist, maintain and defend the Prince against all that should attempt to do him injury.

9. That all Kings and Princes, that in any time hereafter shall happen to reign and have the rule of the Realm, should in their first entry, and before they be either crowned or inaugurated, give their oath, and faithfully promise unto the true Church of God, for maintaining and defending by all means the true Religion of Christ, presently professed within the Kingdom.

10. That the Prince should be committed to the education of some wise, godly and grave man, to be trained up in vertue and the fear of God, that when he cometh to years, he may discharge himself sufficiently of that place and honour whereunto he is called.

11. That the Nobility, Barons and others underscribing, should faithfully promise to convene themselves in armes for the rooting out of idolatry, especially the blasphemous Mass, without exception of place or person. And likewise should remove all idolaters, and others not admitted to the preaching of the Word, from the bearing of any function in the Church, which may be a hinderance to the Ministry in any sort; and in their places appoint Superintendents, Ministers, and other needfull members of the Church. And further, should faithfully binde themselves to reform all Schooles, Colledges and Universities throughout the Realme; by removing all such as be of contrary profession, and beare any charge therein, and planting faithfull teachers in their rooms, lest the youth should be corrupted with poysonable doctrine in their lesser years, which afterwards would not easily be removed.

The Articles
subscribed.

These were the Articles agreed unto by a common consent, and subscribed in the presence of the Assembly, by the Earls of *Morton*, *Glen-carne*, and *Marre*; the Lords *Home*, *Ruthven*, *Sanghuar*, *Lindesay*, *Grahame*, *Innerness*, and *Ochiltree*, and many Barons, besides the Commissioners of Burgeses.

The Queen
moved to
make resigna-
tion of the
Crown.

Upon the dissolving of this Assembly, the Lords *Ruthven* and *Lindesay* were directed to *Lochlevin* to deal with the Queen for resignation of the Government in favours of the Prince her son, and the appointing of some to be Regent who should have

have the administration of affairs during his minority. At first she took the proposition grievously; answering in passion, that she could *sooner renounce her life, then her Crown*: yet after some rude speeches used by the Lord *Lindesay*, she was induced to put her hand to the renunciation they presented, by the perswasion chiefly of *Robert Melvil*, who was sent from the Earl of *Atholl* and *Lethington*, to advise her as she loved her life not to refuse any thing they did require. He likewise brought a letter from Sir *Nicholas Throgmorton* the Ambassadour of *England*, (who was come a few dayes before to visit her, but was denied access) to the same effect, declaring that *no resignation made in the time of her captivity, would be of force, and in Law was null, because done out of a just fear*; which having considered with her self a while, without reading any one of the Writs presented, she set her hand to the same, the tears running down in abundance from her eyes. One of the Writs contained a renunciation of the Crown and Royall dignity, with a Commission to invest the Prince into the Kingdome, by the solemnities accustomed. And to that purpose a procuration was given to the Lords *Ruthven* and *Lindesay* for dimitting and resigning in presence of the three Estates the Rule and Government: And to the Earls of *Morton*, *Atholl*, *Marre*, *Glencarne* and *Menteith*, and to the Lords *Grahame* and *Home*, with the Bishop of *Orkney*, and the Provosts of *Dundie* and *Montrose*, for inaugurating the Prince her son. The other Writ did appoint the Earl of *Murray* Regent during the Prince his Minoritie, if at his return he should accept of the Charge. And in case of his refuse, the Duke of *Chattellerauld*, the Earls of *Lenox*, *Argile*, *Atholl*, *Morton*, *Glencarne*, and *Marre*, who should joyntly govern, and administer the publick affairs.

Both the renunciation, and Commission for government of the Realm, were the next day published at the Market Crosse of *Edinburgh*, and the third day after the Publication (which was the 29. of *July*) was the Prince crowned, and anointed King in the Church of *Striveling* by the Bishop of *Orkney*, assisted by two of the Superintendents. The Sermon was made by *John Knox*; the Earl of *Morton* and the Lord *Home* took the Oath for the King, that he should maintain the Religion received, and minister justice equally to all the subjects. The *English* Ambassadour though he was in town, refused his presence to that solemnity, lest he should seem to approve the abdication of the Queens Government. Now how soon the news came to *France* (and they came in great haste) the Earl of *Murray* prepared to return, whereof the Archbishop of *Glasgow* getting intelligence (who lay there Ambassadour for the Queen) he laboured earnestly to have him detained, informing that he was the head of the faction raised against the Queen, and that he was called home to be their leader. But he had taken his leave some houres before of the Court, and used such diligence, as they who were sent to stay him, found that he was loosed from *Diepe* before their coming.

Returning by *England*, he came the 11. of *August* to *Edinburgh*, where he was received with a wonderfull joy. Great instance was used to have him accept the Regency; at which they said no man would grudge, he being named by the Queen, and having given all good men experiments of his worth. Some few dayes he desired to advise, in which time he visited the Queen at *Lochleven*, and sent Letters to the Noblemen; of the other faction, especially to the Earl of *Argile*, with whom he had kept an intire friendship of a long time, shewing in what sort he was pressed by the Lords that maintained the Kings authority, and intreating him by the bonds of kindred, the familiarity they had long kept, and by the love he bare to his native Countrey, to appoint a place where he might confer with him, and have his counsell in that business.

To the rest he wrote according to the acquaintance he had with them, and as their place and dignity required. Of them all in common he desired that they would be pleased to designe a place of meeting, where they might by common advice provide for the safety of the Kingdome, which in that

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The King
crowned at
Striveling.

The Earl of
Murray return-
eth from
France.

He visiteth the
Queen at
Lochleven.

An. 1567. that troubled time could not long subsist, without some one to rule and govern.

The Earl of
Murray elected
Regent.

But finding them all to decline the meeting, and being importuned on the other side by those of the Kings faction to undertake the charge, he resolved to accept the same, and in a convention of Noblemen, and others of the Estates kept at *Edinburgh* the 20. of *August*, was elected Regent with a great applause of all that were present. The same day was his Election published, and charge given to all the subjects for acknowledging, and obeying him as Regent, and Governour of the Realm unto the Kings majority.

THE

THE HISTORY

of the CHURCH

OF

SCOTLAND.

THE FIFTH BOOK.

The Contents.

How matters passed in the State and Church, during the Government of the four Regents, his Maiestie being yet minor.

Bothwell after his flight at Carberry, having stayed a few dayes in the Fort of *Dumbar*; for that he feared to be inclosed, made to the Sea, with two or three ships, which he had prepared, and went into *Orkney*; his purpose was to have remained in the Castle of *Kirkwall*, and if any did pursue him to take himself to the ships: but the keeper *Gilbert Balfour* would not receive him, so as he was forced to return to Sea, and there playing the Pirate made spoil of all that came in his way. The Regent advertised of this, sent *William Kirkcaldy* of *Grange* with five ships well manned to pursue him, who coming upon him unlooked for, as he lay in one of the creeks of *Orkney*, gave him the chase, and had certainly taken him, if they had not been hindered by rocks and shallow waters. The *Unicorn* one of *Granges* best ships was cast away upon a rock, *Bothwell* with his that were not of such a burthen escaping. Shortly after he was taken upon the Coast of *Norway*, and conveyed to *Denmark*, where being detected by some *Scottish* Merchants, he was put in a vile and loathsome prison, and falling in a frensie which kept him some ten years, made an ignominious and desperate end, such as his wicked and flagitious life had deserved.

Bothwell taketh the Sea, and is pursued by *Grange*.

Grange at his return had the Castle of *Edinburgh* committed to his keeping, which a little before was sold by Sir *James Balfour* to the Regent for the summe of 5000. pounds, and the gift of the Priory of *Pittinweeme*. At the same time *Patrick Whitlaw* keeper of *Dumbar* Castle, being charged to render the same, did at the perswasion of his friends yield up the fort, which otherwise was held impregnable.

The custody of *Edinburgh* Castle committed to *Grange*.

The Lords who were convened at *Hamilton*, perceiving how matters went, and that all things grew strong on the Regents side, upon a new deliberation did write unto him, and the rest that stood for the Kings authority, desiring a conference; and offering to send the Earl of *Argile* with some others, to any place they would for meeting. But because in the superscription they gave not the Regent his due title, stiling him only *Earl of Murray*, the letter was rejected by the Councell, and the messenger dimitted without answer. *Argile* knowing what had given the offence, resolved to go unto the Regent, and taking with him the Lord *Boyde*, and the Abbot of *Killwinning* came to *Edinburgh*. There it being declared, that the election of the Regent was not made upon any contempt, or misregard of the Noblemen who were absent, but upon necessity to keep the Realm in order, it was agreed that a Parliament should be called for settling all affairs by advice and consent

The Lords convened at *Hamilton* write to the Regent.

An. 1566. consent of the Estates, and that the same should be kept at *Edinburgh* the 15. day of *December* next.

The first Parliament of King James the 6.

The Acts concluded in Parliament.

When the Diet appointed for Parliament came, it was kept with such a frequency, as the like was not remembred to have been seen a long time. The honours accustomed of Crown, Scepter, and Sword, were carried by the Earls of *Angus*, *Huntley* and *Argile*, and every thing done with the greatest shew of solemnity that could be used. Beginning was made at the affairs of the Church, and divers Acts concluded in their favours: as an Act abolishing the Pope his jurisdiction and usurped authority within the Realm; another for repealing the Statutes made in former times for maintenance of idolatry, and superstition; with the ratifying of the confession of faith, and some others, which may be seen in the first Parliament of King James the sixth. The matter of policie, and jurisdiction of the Church was referred to the consideration of certain Lords delegated by the Estates; but for the restitution of the patrimony, which was promised to be the first work of the Parliament, though the Regent did what he could to have the Church possessed with the same, it could not be obtained. Only the thirds of Benefices were granted to the Church, for provision of the Ministers; the *superplus*, or what should be found remaining after the Ministers were provided, being applied to the support of the publick affairs of the Estate. Touching the Queen, a long consultation was held what course should be taken with her: some urged that she should be arraigned, and punished according to the law. Others reasoned, that whatsoever authority was in the Kingdom, was derived from her, and was revocable at her pleasure, so as she could not be arraigned or brought to trial before any inferiour Judge; and when it was replied, that the *Scots* from the very beginning of the Kingdom, had been in use to censure and punish their Kings, in case of grievous crimes, the greater number disliking that course, it was concluded, that she should be detained, and kept in perpetual prison.

The Queen ordained to be kept in prison.

The Bishop of Orkney deposed for marrying the Queen.

Some ten days after in an Assembly of the Church, the Bishop of *Orkney* was convened for joyning the Queen and *Bothwell* in marriage, and deposed from his function and office. The Countess of *Argile* being cited to appear before the same Assembly for assisting the Baptisme of the King, and giving her presence at the Papistical rites then used, did submit her self to censure, and was ordained to make publick satisfaction in the Chappel of *Striveling*, where the offence was committed, upon a Sunday after Sermon in such manner, and at such time as the Superintendent of *Lothian* should appoint.

The confession of these that were executed for the Kings murder

In the moneth of *January* *John Hepburn* called *Bolton*, *John Hay* younger of *Tallow*, and two Chamberboyes of *Bothwells* powrie and *Dalglish* were brought to trial for the Kings murder, and found guilty by their own confessions. The summe whereof was, that they were enticed unto that wicked fact by *Bothwell*, who did assure them that most of the Noblemen within the Realm had consented thereto, and that a contract was shewed them subscribed by the Earls of *Argile*, *Huntley*, young *Lethington* and others; but whether these subscriptions were the Noblemens own or counterfeit, they could not tell. They further said that *Bothwell* made them believe that the Lords who had subscribed, would each of them have one or two of their servants present at the murder, yet were they but eight persons in all, besides *Bothwell* himself, that came unto the place: Namely, Sir *James Balfour*, the Laird of *Ormeiston* in *Teviotdale*, *Robert Ormeiston* his Cousen, one *Wilson* a man of *Hadington*, and the four who were then to suffer. The sentence upon their conviction was, that they should be hanged, their heads cut off, their bodies quartered, and cast into the fire. A manifold execution, which the treacherous Parricide they had committed, did well deserve.

An. 1568.

The Queen escapeth from *Lochleven*.

At the opening of the spring, the Regent purposing to hold justice Courts through the whole Kingdom, made his beginning in the West parts, because of some broken people in the *Lenox*, and Highlands adjoining: whilst he remained at *Glasgow*, (for the first Court was there affixed) the Queen made an escape from *Lochleven*, to the great contentment of many who stood in fear of the Regents severity or, as (the vulgar called it) cruelty. And even some that were the principal workers of her imprisonment,

sonment, having changed their minds, did earnestly wish her liberty. *Leithington* who hating *Bothwell* to the death, was enemy to the Queen for his respect, as soon as he understood of his arresting in *Denmark*, and saw that he was no more to be feared, desired greatly to have her restored, as thinking his credit and safety should that way be most assured. Sir *James Balfour* followed alwayes his course, *William Murray* of *Tulibardin*, though he had shewed great forwardness at the hill of *Carberry*, where the Queen was taken, yet being Popishly set, upon some private discontentments forsook the Regent, and carried with him divers of his friendship. The *Hamiltons* were known to desire nothing more then her freedom. The Earls of *Argile* and *Huntley*, howbeit they had been present at the late Parliament, and given their assistance for establishing the Kings authority, turned their Coats, and joyned with the rest for repossessing the Queen; and besides these many others, some led with hopes of advancement, and some trusting to have their distressed estates bettered by a change, longed much to have her relieved, which by this means came to passe.

George Douglas the Regents youngest brother a Gentleman of good spirit, who remained with her in the Castle of *Lochleven*, allured by her courtesies, and fair promises, having corrupted the Keepers, although he himself upon suspicion, was some days before sent forth of the Isle, got her transported, (whilest the rest were at dinner) in a little vessel to the side of the lake, where he with the Lord *Seaton* and some horsemen were attending. The first night she lodged at *Nudrie* in West *Lothian*, and the next day was conveyed to *Hamilton*, whither repaired unto her the Earls of *Argile*, *Cassils*, *Eglinton*, and *Rothies*, the Lords *Sommervil*, *Yester*, *Borthwick*, *Levingston*, *Heris*, *Maxwell*, *Sanghuar*, and *Ross*, with many other Barons, and Gentlemen. The Lords meeting in Council, the Queen declared that the resignation she had made of the Crown, was extorted by fear; as likewise the Commission granted for inaugurating the Prince her son, qualifying the same by the testimony of *Robert Melville* there present, and others. Thereupon was the resignation decerned void and null, and Proclamations made in her Majesties name, commanding all the Lieges to meet in Armes at *Hamilton* for pursuing the rebels, that had usurped the Royal authority.

The news hereof brought unto *Glasgow* (which is only eight miles distant) where the Regent then abode, were scarce at first believed, but within two houres or less, being assured, a strong alteration might have been observed in the mindes of most that were there attending. The report of the Queens forces made divers to slide away; others sent quietly to beg pardon for what they had done, resolving not to enter in the cause any further, but to govern themselves as the event should lead and direct them. And there were that made open defection, not a few, nor of the meaner sort. Amongst whom the Lord *Boyd* was especially noted, and in the mouthes of all men; for that being very inward with the Regent, and admitted to his most secret counsels, when he saw matters like to turn, he withdrew himself and went to the Queen.

Yet the Regent nothing discouraged, and esteeming his life could not be more honourably bestowed then in the defence of the King, albeit many did advise him to retire unto *Striveling*, would not condescend to stirre, saying, *That his retreat would be interpreted a flight, and the adversaries thereby animated, and his friends disheartened.* In the mean season he sent advertisement to his friends in *Mers*, *Lothian*, and *Strivelingshire*. The Earl of *Glencarn* and Lord *Semple*, with the men of *Lenox*, and others well affected to the cause, that lay near to the City, made haste unto his succour, so as in a day or two, his company increased to 4000. and above. There was with the Queen a French Ambassadour, who had arrived a few days before, and moved the Regent for access to the Queen before the escape she made; he was still posting between *Hamilton* and *Glasgow*, rather to espie and observe things, then to make the peace he pretended; for when he saw the Regents forces to be few, as at first they were, and that the Queens power was much greater, he did perswade her to take the fields, and put it to the trial of a day: which she resolved to do. Thereupon warning given to make ready against the next morning, the Earl of

An. 1568.



The manner
of the Queens
escape.

The Queens
resignation
decerned null.

The Regent
advertised of
the Queens
escape.

The Lord
Boyd falleth to
the Queen.

The Regent
resolveth to
stay at *Glasgow*
and assemble
forces.

Argile

An. 1568. *Argile* was proclaimed Lieutenant; and conclusion taken to march with the Army by *Glasgow*, towards the Castle of *Dumbarton*, where they purposed to place the Queen, and either to give battel, or draw the warre at length as they pleased: or if the Regent (which they did not expect) should meet them in the way, to fight him, accounting the victory certain, because of their numbers.

The battel of
Landside,
13. May. 1568.

The order of
the Regents
Army.

The Regent advertised of the Queens intentions, took the fields the next day early, and stood with his companies some houres in battel array, upon the Moore of *Glasgow*, where it was believed the Queens Army should passe, but when he saw them keep the other side of the River, he directed the horsemen to passe the Foords, the water being then ebbd, and leading the foot along the bridge, went towards *Landside*, which lay in the way to *Dumbarton*. This is a little Village upon the water of *Carthe*, situated at the foot of a hill towards the West: on the East and North the ascent unto it is somewhat steep, the other parts of the hill are more even and plain; both Armies contending who should first possesse it, that of the Regents prevented the other by occasion of *Argiles* sicknesse, who was on the suddain taken with a fit of the Epilepsie, and so retarded the march of the Queens Army. When they approached near and saw themselves prevented, they went to a little opposite hill, and there ranged themselves in two battels, placing in the first their whole strength almost; for if they should at the first encounter repulse their enemies, the rest they made account would soon disband and take the chace. The Regent had likewise put his troops in two battels; on the right hand were placed the Earl of *Morton*, the Lords *Home*, *Semple*, and *Lindesay*, with their clients and vassals; on the left, the Earls of *Marre*, *Glencarn*, and *Menteith*, with the Citizens of *Glasgow*: the Harquebusiers were planted in the Village beneath, and within the hedges upon the high-way. Before the joyning both sides played with their Ordinance upon others, but the advantage was on the Regents part, the Queens Canoniers being forced to quit their munition. His Cavalrie on the other side being much inferiour to the Queens, was compelled to give ground: but when they entered upon the foot, thinking to put them in disorder, the Archers from the Regents side rained such a shower of arrowes upon them, as they could not hold up their faces, and were forced to turn back. The left wing of the Queens Army advancing it self in the mean while, howbeit greatly annoyed by the Harquebusiers, that beat them in the strait on both sides, got into the plain and displayed it self. Then did the Armies joyn and enter into a hot fight, striving in thick ranks to maintain their places, and by force of spears to break and bear down one another; for the space of half an hour and more, the fight continued doubtful, and so eagerly they strove, that they whose spears were broke, stood throwing their poynards, stones, and what came readiest to their hands, in the faces of their adversaries. The Regents second battel perceiving that none came against them, and fearing the other should be overlaid, (for they saw some in the last ranks recoiling) went unto their aid, whereupon the Queens Army gave back, and so were put to rout. The Regent and those on his side shewed great manhood, all their hopes consisting in the victory: nor were his enemies any lesse couragious, but the advantage of the ground were to those of his part no small help. There were not many slain on the place, most of the slaughter being made in the chace, and unlesse the Regent had with his presence wheresoever he came, and by sending horse into all parts, stayed the fury of those that pursued, the victory had been much more bloody. The Queen who stood a mile off from the battel on a litle height, perceiving the field lost, made towards the borders. The rest that escaped, fled the readiest way they could find, every man to his own home. The number of the slain was about 300. many were taken prisoners, amongst whom the most eminent the Lords of *Seaton*, and *Ross*, the Masters of *Cassils* and *Eglinton*, Sir *James Hamilton* of *Arvendale*, and the Sheriffes of *Aire* and *Linlithgow*. Of the Regents side one only was slain, the Lords *Home* and *Ochiltrie* wounded. All the rest, a few excepted that followed the chace too farre, returned with him to *Glasgow*, where they went first to Church, and gave thanks to God for the victory they had obtained, almost without any effusion of blood. This conflict happened upon the 13th. of May, the eleventh day after

The number
of the slain.

The prisoners
that were taken.

after her escape from *Lochlewin*. The *French* Ambassadour who had conceived an assured hope of her prevailing, perceiving things fall out otherwise, took horse, and made away to *England*, not once saluting the Regent, to whom, as he pretended, he was sent. By the way he fell in the hands of some robbers, that rifled all his baggage, which the Laird of *Drumlanrig*, for the respects he carried to the title of an Ambassadour, caused to be restored.

An. 1568.



The rest of that day the Regent bestowed in taking order with the prisoners: some he freely dimitted, others upon surety, but the Principals were detained (they especially of the Surname of *Hamilton*) and committed to several prisons. The next day taking with him 500. horse, he rode unto *Hamilton*, and had the Castle thereof, with the house of *Drassan* another strong hold, belonging to the Duke, rendered in his hands. Such a terrour this defeat wrought, that the whole inhabitants of *Cluid* did relinquish and forsake their houses: upon the like fear, did the Queen against the counsel of her best friends take Sea at *Kirkcaldbright*, and sail into *England*, landing at *Wirkinton* in *Cumberland*, near to the mouth of the river *Derwent*, from which place she sent a letter to Queen *Elizabeth*, declaring that she was come into her Kingdome, upon hope of aid and assistance from her, requesting she might be conducted to her with all speed because of her present distresse. *John Beaton* one of her domesticks, was some days before sent with the Diamond she had received from the Queen of *England* for a token of kindnesse, to signify her purpose of coming into *England*, if she should be further pursued by her subjects: who did shortly return with large promises of love, and kindnesse, if she should happen to come; But as soon as her coming was known, the directions sent by Sir *Francis Knowles*, were not so loving; for by him she was desired to go unto *Carlisle* as a place of more safety, whither the Lieutenant of the countrey should conduct her, and stay there till the Queen was informed of the equity of her cause.

The Castles
of *Hamilton*
and *Drassan*
rendered to
the Regent.

The Queen
flieth to Eng-
land and
writes to
Queen *Eli-
zabeth*.

This direction did much displease her, and then began she to see her error, but seeming to take all in good part, she sent the Lord *Hereis* « to intreat the Queen « for an hearing in her own presence, where she might both clear her self, and shew « how injuriously she had been dealt with by those, whom at her intercession she « had recalled from exile; or if that could not be obtained, to crave that she might « be permitted to depart forth of *England* and not detained as a prisoner, seeing « she came willingly thither, in confidence of her kindnesse often promised, and confirmed as well by letters as messages. Queen *Elizabeth* moved with these speeches, said, » that she would send to the Regent, and desire him to stay all pro- « ceeding against the subjects that stood in her defence, till matters were brought « to an hearing. For the Regent at the same time had called a Parliament to the 25. of *June*, for proceeding against those that had accompanied the Queen in the fields by course of law. They of the Queens faction were in the mean time preparing to hinder the meeting, and when as the Diet drew near, the Earl of *Argile* with his forces met Lord *Claude Hamilton* at *Glasgow*, the Earl of *Huntley* brought from the North 1000. foot, with as many horsemen almost, and came as farre as *Perth*, but was not permitted to crosse the river of *Tay*, the channels and passages being all guarded by the Lord *Ruthven* and such in those quarters as maintained the Kings authority. So being forced to return home, the Earl of *Argile*, and other Lords not seeing how they could hinder the meeting of the Parliament, dissolved their companies, and returned to their own countrey.

The Queen
of *Scots* be-
gins to see her
error.

A Parliament
called by the
Regent.

At this time came the letters promised by the Queen of *England*, whereby the Regent was desired to delay the Parliament, and not to precipitate the giving of sentence in these matters, till she was rightly informed of the whole cause.

The Queen
of *England*
desires the
Parliament
to be delayed.

But the Regent considering that the delay of the Parliament would be construed to proceed of fear, resolved to keep the Diet. At the meeting it was long disputed, whether all they that had taken Armes against the King, and not sued for pardon, should be forfeited, or if sentence should be given against a few only to terrify the rest, and hope of favour left unto others upon their obedience? Secretary *Leithington*

The Regent
refuseth.

An. 1568.

The Queen
of England
writeth to the
Regent.

Commis-
sioners choosed
to go into
England.

The tenour of
the Commis-
sion.

who did secretly favour the other faction, maintained the calmest course to be the best, and by the persuasions he used, wrought so as the proceſſe against the better sort was continued, and some of meaner note only proscribed; which was interpreted, even as the Regent conceived, to proceed of fear, and not of a mind to reclaim them. The Earl of *Rothes* only of all the Noblemen of that side reconciled himself, accepting three years exile for his punishment. Some others of meaner sort the Regent received into favour, and such as stood out he pursued by force of Armes, making an expedition into the countries of *Nidisdale*, *Annandale*, and the lower parts of *Galloway*, where he put Garisons in the Castles and strong Forts that were judged necessary to be kept: others he demolished & threw to the ground: and had in a short space (as it was thought) reduced the whole countrey to his obedience, if he had not been stayed by other letters by the Queen of *England*; for she offending that he should have gone on in that manner, whereas she had willed him to deferre all things till she was informed of the whole cause, sent by one of her servants called *Middlemore*, a sharp letter unto him declaring that “*She would not endure the sacred authority of Kings to be in that sort abused at the appetite of factious subjects and howsoever they had forgot their duties to their Sovereign, she would not neglect her sister and neighbour Queen.*” Therefore willed him to direct certain Commissioners to enform her how matters had passed, men that could answer the complaints made by the Queen of *Scotland* against him and his complices, which if he failed to do, she would restore her to her Kingdome with all the power she could make.

The Regent took it grievously, that matters determined in Parliament, should be brought again in question, and to plead before forain Judges he held it dishonourable; yet considering the adversaries he had (the Cardinal of *Lorain* abroad who swayed all things in the *French* Court, and at home many of the Nobility) and that if he did offend the Queen of *England*, his difficulties should be every way great, he was glad to yield to the conditions required, though against his will. Thus it being condescended the Commissioners should be sent, when as they could not agree upon the persons (the principal Noblemen refusing the employment) the Regent himself offered to undertake the journey; and to accompany him, choice was made of the Bishop of *Orkney*, and Abbot of *Dunfermlin* for the spiritual estate; of the Earl of *Morton* and Lord *Lindesay* for the temporal; and of Mr. *James Macgill* and Mr. *Henry Balnaves* Senators of the Colledge of Justice: besides these there went with him Secretary *Lethington*, and Mr. *George Buchannan*. The Secretary had long withstood the sending of any Commissioners thither, and simply refused to go in that journey, yet the Regent not holding it safe to leave him at home, whom he knew to be a busie man, and a practiser under-hand with the other party, did insist so with him, as in end he consented.

The Commission was given in the Kings name under the Great Seal, to the Regent, the Earl of *Morton*, the Bishop of *Orkney*, the Abbot of *Dunfermlin*, and Lord *Lindesay*, or to any three of them, “*for convening with the deputies of the Queen of England at York, or any other place or places they should think expedient, there to make plain and ample declarations to them (I keep the very words of the Commission) for informing his good sister of the true causes, whereupon divers of the Nobility, and good subjects, during the time that the Queen his Mother was yet possessor of the Crown, took occasion to put on Armes; to take, detain, and sequestrate her person for a time, with all causes, actions, circumstances, and other their proceedings whatsoever towards her, or any other subjects of the Realm since that time, unto the day and date of the said Commission, or that should fall out, untill the return of the said Commissioners, whereby the Justice of their cause, and honourable dealing might be manifested to the world: As likewise to commune, treat, determine, and conclude with his said sister, or her Commissioners, having sufficient authority, upon all differences, causes, or matters, depending betwixt the subjects of either Realm, or for further confirmation, or augmentation of any treaty of peace heretofore made and concluded betwixt the Realms,*

“or

“ or for contracting and perfecting any other treaty, or confederation, as well
 “ maintenance of the true Religion publickly professed by the inhabitants of
 “ both the Realms, as for resisting any forain, or intestine power, that might be
 “ stirred up within the same, to disturb the present quietnesse, that it hath pleased
 “ the Almighty God to grant unto both the Kingdomes, in the unity of the said
 “ Religion, and for increafe of amity, peace and concord betwixt him and his said
 “ sister, their Realms, dominions, people and subjects. And generally to do and
 “ conclude all things which by them, or any three of them should seem conveni-
 “ ent, and necessary for the premises, or any part thereof, promising to hold
 “ firm and stable, &c. This Commission is of the date at *Edinburgh* the 18th. of
September, 1568. An. 1568.

In *July* preceding there was an Assembly of the Church kept at *Edinburgh*, wherein Mr. *John Willock* Superintendent of the *west*, being elected to moderate the meeting, made difficulty to accept the place, unlesse some better order was observed, then had been in former times; for even then the multitudes that convened and indiscreet behaviour of some, who loved to seem more zealous then others, did cause a great confusion. Obedience being promised by the whole number, he assumed the Charge. And there it was enacted, *That none should be admitted to have voice in these Assemblies, but Superintendents, Visitors of Churches, Commissioners of Shires, and Universities, and such Ministers as the Superintendents should chuse in their Diocesan Synods, and bring with them, being men of knowledge, and able to reason, and judge of matters that should happen to be propounded.* And that the Assembly should not be troubled with unnecessary businesse, it was ordained, *That no matters should be moved, which the Superintendents might, and ought to determine in their Synods.* Some Acts of discipline were also concluded, as that *Papists continuing obstinate after lawful admonitions, should be excommunicated; and that the committers of murder, incest, adultery, and other such hainous crimes should not be admitted to make satisfaction by any particular Church, till they did first appear in the habit of penitents before the general assembly, and there receive their injunctions.* A supplication also was put up to the Regent and Council, wherein amongst other particulars it was desired, *That the persons nominated in Parliament for the matter of policy, or jurisdiction of the Church, should be ordained to meet at a certain day, and place for concluding the same.* This was promised, and the eighth of *August* appointed to that effect; but the Diet did not hold, and so these matters continued unresolved as before. In the end of the Assembly the Bishop of *Orkney*, who had been deposed from all function in the Church for the marriage of *Bothwell* with the Queen, was upon his submission reponed to his place, and for removing the scandal he was enjoined in his first Sermon to make publick acknowledgement of his fault, and crave forgiveness of God, the Church, and Estate which he had offended. An Assembly of the Church.

About the end of *September* the Regent, and those that were joyned with him in commission took their journey into *England*, and came to *York* the fifth of *October*: the same day and almost the same hour came *Thomas Howard* Duke of *Norfolk*, *Thomas* Earl of *Sussex*, and *Sir Ralph Sadler* Chancellour of the Dutchy of *Lancaster*, having Commission from the Queen of *England*, to hear and determine all questions, controversies, debates, and contentions, betwixt her sister the Queen of *Scots* and the subjects adhering unto her on the one part, and the Earl of *Murray* and others refusing to acknowledge her authority and adhering to the Prince her son on the other: as likewise to decide all matters depending betwixt them two, to confirm the peace before that time contracted, or establish a new confederation betwixt them, their people and subjects, as they should think most convenient. Some two days after *John Lesley* Bishop of *Ross*, *William* Lord *Levingston*, *Robert* Lord *Boyd*, *Gawan* Comendator of *Kilwinning*, and *James Cockburn* of *Skirling*, Commissioners for the *Scottish* Queen, came to the City; where being all convened, and the Commissions exhibited, an oath was presented to both parties by the Commissioners of *England*, by which they were required to swear, *That they should proceed sincerely in that conference and treaty, and neither for affection, malice, or any other worldly respect* Who should have voice in Assemblies.

An. 1568.

respect propone any thing before the Commissioners, which in their consciences they did not hold to be true, just and godly, and reasonable; as also not to withdraw, hide or conceal any matter fit to be opened, and declared for the better knowledge of the truth in the controversies standing amongst them.

Protestation
for the Queen
of Scotland.

The Commissioners of the Queen of Scotland before they took the oath protested, "That although the Queen their Mistresse was pleased to have the differences betwixt her and her disobedient subjects considered and dressed by her dearest sister and cousen the Queen of England, or by the Commissioners authorized by her, yet she did not acknowledge her self subject to any Judge on earth, she being a free Princess, and holding her imperial Crown of God alone. This their protestation they desired to be put in record, lest the Queen or her posterity should be prejudiced in their Sovereignty by the present proceedings.

Commissioners of England
protest in
the contrary.

The Commissioners of England did contrariwise protest, "that they did neither admit nor allow that protestation in any sort, to the hurt or prejudice of that right which the Kings of England have claimed, had and enjoyed as superiours over the Realm of Scotland, which Superiority they protested should belong and appertain to the Queen their Mistresse, in the right of the Crown of England. These protestations made, both parties took the oath in manner as was required, and this was the Act of the first meeting.

A declaration
in behalf of
the Queen of
Scotland.

The next day the Commissioners of the Queen of Scotland, presented a Declaration in writing, bearing "that James Earl of Morton, John Earl of Marre, Alexander Earl of Glencarne, the Lords Homes, Lindesay, Ruthven, Simple, Cathcart, Ochiltrie, and others their assistants, had levied an Army in the Queens name against the Queen, taking her most noble person, used her in vile manner, and thrust into prison in Lochleven, and forcibly broken her Mint-house, taken away the printing Irons, with all the silver and gold coyned and uncoyned, which was in the house for the time: And going to the Castle of Striveling, and made a fashion to crown her sonne the Prince being then but thirteen moneths old. That James Earl of Murray taking upon him the name of Regent, had usurped the Royal authority, and possessed himself with the whole forts, Castles, Munition, Jewels, and Revenues of the Kingdom. And when it had pleased God to relieve her out of that prison, (wherein she was so straitly detained by the space of eleven moneths, as none of her friends and true subjects could once be permitted to see, or speak with her) and that she had publickly declared by a solemn oath, in the presence of divers of the Nobility at Hamilton, that whatsoever was done by her in prison, was extorted by force, threats, and fear of death, she out of that natural affection which she carried to her realm and subjects, did appoint the Earls of Argyle, Eglington, Cassils, and Rothes, to agree and make a pacification with the said Regent, and his partakers; but they were so farre from admitting any peaceable Treaty, as they did invade her, in her passing to Dumbrilton, with the men of Warre whom she had hired with her own moneys, killed divers of her faithful subjects, led others away prisoners, and banished some of good note for no other cause, but for serving faithfully their lawful Princess; and so after a great many injuries had forced her to flye into England, to request the help of Queen Elizabeth her dearest sister, and in blood the nearest Cousen she had in the world, for restoring her in her former estate, and compelling her rebellious subjects to acknowledge their due obedience unto her Majesty, which they in her Highnesse name did most instantly intreat.

The Regents
advice to the
commissioners of England.

The day following which was the ninth of October, the Regent and rest of the Commissioners for the young King appearing, before they would give any answer to the preceding writ, craved first to be resolved, Whether the Duke and those that were appointed with him for hearing their controversies, had power to pronounce in the cause of the Kings Mother, guilty or not guilty; and if according to the same, they meant to give sentence without delay: As likewise, if it should

should appear by the Declaration they were to make, that the Queen of Scots was guilty, whether she should be delivered in their hands, or detained in England: and if the Queen of England would from thenceforth maintain the authority of the King and the Regency established in the person of the Earle of Murray. Which points they desired to have cleared, before they could enter into the accusation intended. The Duke of Norfolk replied, that they would proceed according to the Commission given unto them, and render an account to her who had trusted them therewith. Lethington upon this turning himself to the Regent, said, *That it seemed the English had no other purpose, but to defame and disgrace the reputation of the Queen their Kings mother; Therefore willed him and his associates to consider what hurt and danger they should draw upon themselves, by accusing her in such a publick form, not onely with those of her own Nation, that loved the Queen, but also with other Christian Princes, especially with her cousins in France; and what could they answer unto the King, when he being of ripe years should esteem that manner of doing dishonorable to himself, his mother and whole Kingdom?*

They notwithstanding went on, and presented their answer, conceived in the terms following. "That King Henry father to their sovereign Lord the King now reigning being horribly murdered in his bed, James sometimes Earl of Bothwell, who was known to be the chief Author thereof entered in such credit with the Queen, then their Sovereign, as within two moneths after the murder committed, he openly attempted a rape of her person and carried her to Dumbar Castle, where he did keep her as captive a certain space, causing a divorce to be led betwixt him and his lawfull wife, and upon the conclusion thereof did suddenly accomplish a pretended marriage with the Queen: which insolent proceedings, together with the shamefull report that passed in all Nations of the Kings murder, as if the whole Nobility had been alike culpable thereof, so moved the hearts of a good number of them, as they thought nothing could be performed more honourable to themselves in the sight of all the world, then by punishing the said Earl who had committed the murder, to free themselves of the vile reports spread every where; to set the Queen at liberty from the bondage of that traitour, who had so presumptuously interpreted the rape and marriage of her, whose lawfull husband he could not be; and to preserve the innocent person of the King, from the hands of him that had murdered his father. For which purpose they taking arms, when the said Earl came against them with forces, leading in his company the Queen to defend his wickednesse; they offered for sparing the blood of innocent men, to decide the quarrell in a single combate, whereof himself by Cartell, and Proclamation and sundry times made offer. But after many shifts he in end directly refused the same, and the Queen preferring his impunity to her own honour, that he might have leasure to escape, came willingly to the Noblemen that were in Arms, and conferred with them a certain space, after which they conveyed her to *Edinburgh*, informing her of the true causes, that moved them to that form of dealing, did humbly intreat her Majesty to suffer the said Earl and others, the King her husbands murderers, to be punished according to the laws; and the pretended marriage, wherein she was rashly entered to be dissolved, as well for her own honour, as for the safety of her son, and quietnesse of the Realm and Subjects. But having received no other answer but rigorous threats against the Noblemen, and she avouching to be revenged upon all those that had shown themselves in that cause; they were driven by necessity to sequestrate her person for a season from the company of *Bothwell*, and the keeping of any intelligence with him, untill punishment might be taken of him as murderer of the King her husband. In the mean time, she finding her self wearied with the troubles of government, and perceiving by things that had passed before that time betwixt her and the people, that neither could she well allow of their doings, nor they like of her forms, upon these and other considerations she voluntarily resigned her Kingdome, and transferred the same unto her son, appointing the Earl of *Murray* (who was at that time absent forth of the Realme) to be Regent during her sonnes minority; and in case of the said Earles decease, or not acceptance of the said Office, divers other Noblemen,

An. 1568.

The Duke of Norfolk's answer. Lethington dissuadeth the Regent from accusing the Queen.

The information presented against the Queen of Scots.

An. 1568. "whose names are expressed in the Commissions signed by her self, and sealed
 "with the seals of the Kingdom. The King hereupon, being duely, rightly and
 "orderly crowned and anointed, and the Earl of *Murray* after his return lawfully
 "placed and admitted Regent, all those things were ratified and confirmed by the
 "three Estates of Parliament, most of these that had withdrawn themselves from
 "his authority being present and giving their consent to the same : Notthelesse,
 "when as matters were thus established, and the Kings authority universally obey-
 "ed without contradiction, certain persons envying the publick quietnesse, had by
 "their subtile practices first brought the Queen out of *Lochlevin*, and afterwards
 "by open force against their promised fidelity gone about to subvert the govern-
 "ment received, wherein as they were proceeding, it pleased God to disappoint
 "their interprise, and give unto the King and those who stood for his authority, a
 "notable victory upon the 13. day of *May* last. Wherefore their desire was, that the
 "King and the Regent might peaceably rule and govern the subjects according to
 "the authority they had received of God, and that the same might be conserved and
 "established against the factions of turbulent subjects.

The Commis-
 sioners of the
 Queen of Scots
 reply.

The Commissioners of the Queen of Scots having seen this answer made a long
 and particular reply to all the points thereof, wherein adhering to their former pro-
 testation, first they said, " That the pretext of taking arms against the Queen,
 "because *Bothwell* (the authour of her husbands murther) was in such favour with
 "her, could not warrant their rebellion, sith it never was made known to the
 "Queen that he was the murtherer. But to the contrary, *Bothwell* being indited,
 "and orderly summoned to underly the triall of Law, he was by the judgement of
 "his Peers absolved, and the same absolution ratified by the authority of Parlia-
 "ment, where the principalls that now accuse him and had withdrawn themselves
 "from her Majesties obedience, were present, and not onely consented to his pur-
 "gation, but solicited the Queen to take him to her husband, as the man most
 "worthy to bear rule of any other in all the Realm, giving their bonds to defend
 "him against all that should pursue him for the said crime, as their subscriptions
 "would testifie. And so neither before the marriage with *Bothwell*, nor after did
 "they or any of them (which had been the dutie of true subjects) so much as in
 "words utter their dislike of it, or advertise her Majesty of the suspicions that were
 "taken of him, untill they had drawn the keeper of the Castle of *Edinburgh*, and
 "the Provost of the town to their faction. Then secretly putting themselves
 "in arms, they suddenly under silence of night invironed the Castle of *Borthwick*
 "where her Majesty remained, and after she had escaped to *Dumbar*, levied an
 "army under pretence to defend the Queen, wherewith invading her person
 "in the way berwixt *Dumbar* and *Edinburgh*, they did take her Majesty ca-
 "ptive.

And where they alledge that her Majesty preferring the impunity of *Bothwell* to
 her own honour, made him to be conveyed safely away, " The same was most
 "untrue, for they themselves sent the Laird of *Grange* to her Majesty, desiring her
 "to cause *Bothwell* passe out of the fields, as suspected of the Kings murther, till the
 "same might be tried, and that she would go with them and follow the counsell
 "of the Nobility, which if she would do, they would honour, serve and obey her
 "as their Princess and Sovereign : whereunto her Majesty for the love she bare
 "unto her subjects, and to avoid the effusion of Christian blood, did willingly
 "assent. In verification whereof, the said Laird of *Grange* took the Earl of *Both-*
 "*well* at the same time by the hand, and willed him to depart, giving his word
 "that no man should pursue him. So as nothing is more clear, then that he passed
 "away by their own consents, for if they had been minded against him only, would
 "they not have pursued him so long as he was in the Countrey, for he remained
 "a great space after that in his own house, and might more easily have been taken
 "there, then upon the Seas, where they in a coloured manner did pursue him ?
 "Hereby, said they, may all men of sound judgement perceive that they cared not
 "what became of him, if so they might advance their own ambitious purposes
 "and designs.

Thirdly,

Thirdly, where she is charged to have used them with threats and menacings, *An. 1568.*
 “that, *they said*, was not to be thought strange, considering their undutiful behaviour, and the rude and vile usage her Majesty suffered by them. For when the Earl of *Morton*, at her highness first coming to them, had reverently, as it became him, said, Madame, here is the place where your grace should be, and we will honour and serve you as truly, as ever the Nobility of the Realm did any of your progenitors in former times, ratifying thereby the promise made by the Laird *Grange* in their names to her Majesty, and that she trusting their speeches had gone with him to *Edinburgh*, they first lodging her in a simple Burgesse house, and contrary to their promises did most rudely intreat her: whereupon she sent *Lethington* her Secretary, and made offer unto them that for any thing, where-with they or any of the subjects were offended, she was content the same should be reformed by the Nobility, and the Estates of the Realm, her Highness being present, and permitted to answer for her self: yet would they not hearken once to the motion, but in the night secretly and against her will carried her to *Lochlevin*, and put her in prison.

As to that they say, that she wearied with the molestations of government did make a voluntary resignation of the Kingdom in favours of the Prince her sonne, appointing the Earl of *Murray* his Regent during his minority, “The fallshood thereof did, *as they said*, many ways appear. For first, her Majesty is neither decayed by age, nor weakned by sicknesse, but (praised be God) both in mind and body able to discharge the most weighty affairs. As also the truth is, that the Earl of *Athol*, the Laids of *Tullibardin* and *Lethington* (who were of their Council) sent *Robert Melvil* with a ring and some other tokens to her Majesty, advising her to subscribe the letters of resignation, and what else should be presented unto her to save her own life, and avoid the death which was assuredly prepared for her, if she should happen to refuse the same, and at the same time the said Gentleman did bring unto her Majesty a letter written by Sir *Nicholas Throgmorton*, Ambassadour of *England*, requesting her Highness to set her hand to whatsoever they should desire of her. To whom her Majesty answered, that she would follow his counsel, praying him to declare to her dearest sister the Queen of *England*, how she was used by her subjects, and that the resignation of the Crown made by her was extorted by fear, which her Highness doubted not, but the said *Nicholas* performed.

“Further it is notorious, that the Lord *Lindesay* at the presenting of the letters of resignation unto her Majesty, did menace to put her in close prison, if she refused to put her hand to the same, adding, that in that case, worse would shortly follow; and that her Highness never looked what was in the writings presented, but signed the same with many tears, protesting that if ever she should recover her liberty, she would disavow that, which he compelled her at that time to do. And to testify that the said resignation was made against her will, the Laird of *Lochlevin* who was then her Keeper, refused to subscribe it as witness, and did obtain a Testificat under her Majesties own hand, declaring that he refused to be present at the said resignation.

“Neither can that renunciation be sustained by any reason, considering that no portion of Revenue was reserved for her to live upon, neither was her liberty granted, or any security given her of her life. All which weighed in the ballance of reason, will to men of indifferent judgement make manifest that the alledged dissimulation so unlawfully procured, can never prejudice her Majesty in her Royal estate: especially considering that at her first escape out of prison she did revoke the same, and in the presence of a great part of the Nobility at *Hamilton*, by a solemn oath declared, that what she had done was by compulsion, and upon just cause of her life.

For the Coronation of her Highness son, they said, “that the same was most unorderly done, because there being in the Realm above an hundred Earls, Bishops and Lords having voice in Parliament, (of whom the greatest part at least
 “ought

An. 1528.

“ought to have consented thereto, it being an Action of such consequence) four
 “Earls and six Lords (the same that were present at her apprehension) with one
 “Bishop, and two or three Abbots and Priors, were only assisting; and of the same
 “number, some did put in a protestation, that nothing then done should prejudice
 “the Queen or her successor, by reason she was at that time a captive. Nor can any
 “man think that if the dimission had been willingly made by her Highnesse, she
 “would ever have nominated the Earl of *Murray* Regent, there being many others
 “more lawful, and that have better right thereto then he; of whom some have
 “been governours of the Realm in former times, and during her Majesties minority
 “had worthily exerced that place.

It is to as little purpose that they object of the Parliament, and the ratification made therein; “Seeing the principalls of the Nobility dissented, and put
 “in their protestations both to the Lords of the Articles, and in the open Parlia-
 “ment against their proceedings, affirming that they would never agree to any
 “thing that might hurt the Queens Majesties person, her Crown and Royall estate
 “further then her Highnesse self being at liberty would freely approve. Lastly,
 “where they would have it seen that the authority established by them was univer-
 “sally obeyed in the Realm, and all things well and justly administred; both these
 “are alike untrue: for a great part of the Nobility have never acknowledged ano-
 “ther authority then that of the Queen, keeping and holding their Courts in her
 “Majesties name. And for the administration of affairs, it is apparent that
 “wickedness did never reign more, and with lesse controlment in the Realm, mur-
 “ther, bloodshed, with theft and robbery every where abounding; policy destroyed,
 “Churches thrown down, honourable families ruined, and true men bereft of
 “their goods, for satisfying the souldiers hired by them, to maintain the Regents u-
 “surped government, the like whereof hath not been seen, nor heard for many ages
 “before. In regard whereof, they in behalf of the Queen of *Scotland* their Mi-
 “stresse did earnestly request the support and assistance of the Queen of *England*
 “her cousin, for restoring her to her Crown, and suppressing the rebels that had
 “attempted against her.

The Commis-
 sioners of *Eng-
 land*, desire the
 Regent to give
 better reasons.

The *English* Commissioners having perused the writings of both sides, de-
 clared that as yet they were not satisfied with any thing the Regent had shewed,
 requiring him to produce some better, and more sound reasons, for the severity
 they had used against their Sovereign, otherwise they could not but think she had
 been too hardly dealt with, and report so much to the Queen their Mistresse. The
 Regent, (who disliked nothing more then to be drawn into the accusation of the
 Queen his sister) answered that he could not be more particular till he should be
 assured, that the Queen of *England* would undertake the protection of the young
 King, and relinquish the cause of his Mother. The Commissioners replying, that
 they had no warrant to promise any such thing, he besought them to try the Queens
 mind, that her pleasure being known he might sooner resolve what to do. Letters
 hereupon was sent to the Queen, who willed the Regent to direct some one, or moe
 of his side to Court, for her better information. To this effect Secretary *Lething-
 ten*, and Mr. *James Macgill* Clerk of the Rolls were sent thither, with whom the
 Queen having conferred a little time, she gave order to recall her Commissioners,
 and advertise the Regent himself to come unto her. At his coming the Queen laid
 to his charge the proceeding against his sister the Queen of *Scots*, saying, that she
 did not see, how he and the rest of his faction could well be excused, and that unlesse matters
 were better cleared on their parts, she could not deny the help and assistance that was required
 at her hands. The Regent according to the condition proposed at *York*, answered, That
 if she would take upon her the defence of the King, they should be more particular in their rea-
 sons for rejecting the Queens authority, and clear every thing they should speak sufficiently;
 otherwise to accuse his sister, and Queen, would be held odious in the judgement of all men.

Rumours dis-
 seminated of the
 Regents im-
 prisonment.

Whilest these things were a doing in *England*, the Queens faction at home
 sought all occasions to make trouble, abusing the popular sort with rumours they
 dispersed. Sometimes giving out that the Regent was made prisoner in the Tower.
 At other times that he had promised to subject the Kingdom of *Scotland* to the

the *English*, to deliver the young King to be brought up in *England*, and put all the forts and strong holds in the Realm in their hands. Nor was any man more busied in dispersing such lies, and using all means else for stirring up tumult, then Sir *James Balfour*, instigated thereto by advertisement from the Secretary, as was commonly thought. For by his advise it was, that the *Scottish Queen* at the same time sent Commissions of Lieutenandrie to divers Noblemen for erecting again her authority, like as all the while he remained in *England*, he did ever keep intelligence with the Bishop of *Rosse* and others the Queens agents, and was one of the chief plotters of the match intended betwixt her and the Duke of *Norfolk*, which came shortly after to be detected. The Regent, who was not ignorant of these secret workings, did finde there was a necessity of his returning home, to prevent the commotions that were breeding before they grew into a greater ripeness: and fearing to offend the Queen of *England*, if he should depart without giving her satisfaction in the particulars she desired to be informed of, touching the Queen of *Scots*, resolved to do it, but with a protestation which he presented in writing to the Council at *Westminster* the 28. of *November* in this form.

An. 1568.

A Declaration
presented in
writing by the
Regent.

Albeit our whole proceedings from the beginning of our interprise directed onely for the punishment of the Kings murther, and the purging of our Nation from the scandall of that abominable fact, may let the world see how unwilling we have been to touch the Queen our Sovereign Lords Mother in honour, or to publish unto strangers matters tending to her infamy, yet shall it not be amisse upon the present occasion, to shew briefly what hath been, and still is our meaning therein: Such and so great was our devotion toward her, as well for private affection, whereby every one of us was led to wish her well, as for publick respects, that rather then we would blemish her honour with the foreknowledge of that detestable murther, we choosed to wink at the shrewd reports of the world, and let our selves to be blasoned as rebels and traitours to our native Prince; which had been easie for us to have wiped away with the uttering of a few words, if the desire we had to save her reputation had not made us content that the world should still live in doubt of the justice of our quarrell, and speak every one as their affections were inclined. So when we were urged by the Queens Majesty of *England*, and the French Kings Ambassadors to give a reason why we detained our Queen at *Lochleven*, we gave no other answer, but that her affection was so excessively towards Bothwell the committer of that odious murther, that she being at liberty it would not be possible to punish him, and that it behooved us for a season to sequestrate her person, till he might be apprehended and punished. In what danger this dealing brought us, we have no need to shew. From *France* we had nothing to expect but open Hostility, and by keeping up the chief causes of her rejection, we had reason to fear, that the Queen of *England* should call our proceedings in doubt, and so leave us destitute of her Majesties aid, at whose hands we look principally to receive comfort in time of danger. This course notwithstanding we should still have kept, if the importunity of our adversaries had not forced us to take another way: For remembering what a person she is whom we are brought to accuse, the Mother of our King and sovereign Lord, a Lady to whom in particular the greatest part of us are so farre obliged for benefits received, that if with the perpetuall exile of any one, or of a number of us, forth of our Native Countrey, we could redeem her honour without the danger of the King and whole Estate, we would willingly banish our selves to that end. And therefore ere we dip further in the matter which to this houre we have shunned, we solemnly protest, that it is not any delight we take in accusing her, but a necessity that is laid upon us to purge our selves, that drawes us unto it. For if our adversaries would rested content with our former answer, which they know to be true, no further would we needed. But against our hearts in defence of our just cause they compelled us to utter the things, which we wish were buried in perpetuall oblivion. So if our doing seem hatefull to any, let these bear the blame, who force us to answer, which they know we may, and in the end must give. One thing onely we desire, that they who have brought us to this necessitie may be present and hear what is said, that if we speak any untruth, they may refute the same, for even in point of greatest moment we will use their own testimonie.

This

An. 1568.

The answer
of the Com-
missioners for
the Queen of
Scots.

This being communicated with the Agents of the *Scottish* Queen they answered, " That they did not force them to any accusations, and if they did utter untruths, " or calumniate the Queen in any sort, they would not patiently hear it. That all " their desires were to have their Queen restored to her Kingdome from which by " force of armes she was expulsed, or if it should please the Queen of *England* to " hear any more of that matter, they requested that the Queen of *Scots* might be " sent for, and permitted to speak for her self.

Mean while by a new Patent there were joyned to the other Commissioners, *Bacon* keeper of the great Seal, the Earls of *Arundell* and *Leicester*, with the Lord Admirall and Sir *William Cecill*, and a time assigned to the Regent for producing the reasons for the Queens rejecting. When the day was come, he presented the confessions of some that were executed for the Kings murther; the Statutes of Parliament ratifying her resignation of the Crown, and her sons Coronation subscribed by divers of her own party; certain amatory verses, and epistles written to *Bothwell* (as they said) with her own hand; three severall contracts of marriage betwixt her and *Bothwell*, with a number of presumptuous likelyhoods and conjectures, to make it appear that she was privy to the murther *Bothwell* had committed.

The Queen of
England doubt-
eth how to
cary her self
in the businels.

The Queen of *England* having seen and perused all these stood doubtfull what to do, for albeit she was content to have some blot rubbed upon the Queen of *Scots*, as many supposed; yet the pity of her misfortune made her sometimes to think of composing matters betwixt her and her subjects. The terms besides wherein she stood with the *French* King, who was dayly by his Ambassadors soliciting the Queen of *Scots* liberty, made her uncertain what course to take; for if she should simply deny his request, it would be esteemed a breach of friendship, and to yield to his desire she thought it scarce safe for her own estate. Therefore keeping a middle course she resolved to suspend her Declaration unto another time, and willed the Regent seeing he could make no longer stay, to leave some of his company to answer the criminations, which possibly his adversaries would charge him with after he was gone. But he replying said, *That he was not so desirous to return home, but he would willingly stay to hear what they could alledge against him. Nor was he ignorant of the rumours they had dispersed, and what they had spoken to some of the Councell and to the French Ambassadour, which were more convenient to be told, whilst he was himself in place and might make answer, then to bely and calumniate him in his absence: wherefore he did humbly intreat her to cause them utter the things plainly that they muttered in secret.* Hereupon were the Queen of *Scots* Commissioners called, and it being inquired, *Whether they had any thing to object against the Regent, which might argue his guiltiness of the Kings murther;* they answered, *That when the Queen their Mistres should bid them accuse, they would do it, but for the present they had nothing to say.* The Regent replied, *That if the Queen or any other would accuse him, he should ever be ready to give an account of his actions, and neither decline place nor time, but in the mean while till she should intend her accusation, it was reason they should declare if they themselves had any thing to lay unto his charge.* After divers subterfuges, in end they professed that they knew nothing which might make him or any of his associates suspected of the murther.

The Queens
Commission-
ners purge the
Regent of the
Kings mur-
ther.

The Duke of
Chattellerault
claimeth the
Regency.

The Regent now at the point to depart, a new let was made by the Duke of *Chattellerault*, who coming from *France* by *England*, drew himself into a contestation for the government, pleading that the same did belong to him, as being the nearest of blood and lawfull heir of the Crown next after the Queen of *Scots* and her succession.

This he said, was the Law and practice of all Nations, and a custome perpetually observed in *Scotland*, for proof whereof he alledged the Regency of *Robert Stewart* uncle to King *James* the first, with that of his son Duke *Murdock* after the fathers death; the government of *John* Duke of *Albany* in the minority of King *James* the fifth, and his own Regency in the nonage of the present Queen. Contrary to which custom, a few Rebels (as he complained) had most injuriously to his disgrace, and (which was most unsufferable) to the contempt of the lawfull blood, preferred

one base born, unto the supreme dignitie; which honour if it should be restored to him, the Civill troubles he said would cease, and the Queen without any tumult be restored to her content: Whereupon he requested the Queen of *Englands* favour, and that by her authority the Earl of *Murray* might be caused cease from his usurped Government.

An. 1568.



A reply to the Dukes petition.

To this in behalf of the Regent it was replied, "That the Dukes Petition was most unjust, and contrary to the custome, and Lawes of the Countrey, which provided that at such times as the Crown should fall in the hands of Minors, one or more of the most sage and powerfull in the Estates should be elected for the administration of affairs unto the Kings ripe age. This course, they said, the *Scots* had constantly kept the last six hundreth years, and thereby secured the Kingdome, and transmitted the same free and safe to their posterity; As for instance, after the death of King *Robert Bruce*, *Thomas Randolph* Earl of *Murray* was elected Governour; upon his death, *Duncan* Earl of *Marre*: after him *Andrew Murray*, and then *Robert Stewart*; who were all chosen Regents one after another. In the minority of King *James* the second, *Sir Alexander Levingston* was elected, a man neither of bloud of the King, nor a Noble man of degree, but for his worth, and wisdom preferred. In like sort King *James* the Third, had four Tutors appointed to him by the Estates, none of them for any respect of propinquity.

"And for the examples adduced of Duke *Murdock*, and *John* Duke of *Albany*, they made nothing to the purpose. The last of the two in the minority of King *James* the fifth, being called to the government by the Nobility, and confirmed therein by the Estates. And to shew that in his election no respect was had to nearness of bloud, his elder brother *Alexander* was then alive, who would not have been passed, if propinquity or kindred had carried the sway. How Duke *Murdock* and his father before him came to govern, it was well known: King *Robert* the third waxing infirm and unable to rule by himself, did substitute his brother (called *Robert* likewise) his Lieutenant in the Kingdome, commending his two sons *David* and *James* to his care. But the kindness he shewed to them was, that the elder of the two was starved to death in the Palace of *Falkland*, and the younger forced fly for his life, he being detained prisoner in *England*: After the fathers death, the uncle usurped still the place wherewith he was possessed, and at his dying left the same to *Murdock* his son. As to that he speaks of his own Regiment, they said, he had done more wisely not to have mentioned it, considering his preferment proceeded rather of hatred born to the Cardinall, who had supposed a false testament, then of any favour carried to himself: And that being possessed in the place, he sold both it and the young Queen to the *French*, which had bred a great deal of trouble. And granting the custome had been such as he pretends, will any man in reason judge it safe to commit the tuition of an innocent child to him, whose family hath entertained so long enmity with that of which the King is descended, and will ever be waiting and wishing the death of his Pupill? none will think it. This was the substance of the reply which when the Queen of *England* heard, she directed certain of the Councell to shew the Duke that he was not to look for any help from her in that businesse, and to prohibite his journey into *Scotland*, till the Regent was parted and gone home.

About the same time there were letters of the Queen of *Scots* intercepted, sent to the Noblemen of her party in *Scotland*, wherein she complained, That the Queen of *England* had not kept promise unto her, yet desired them to be of good heart, because she was assured of aid by some other means, and hoped to be with them in a short time. These letters sent from *Scotland* to the Regent, he delivered to the Queen of *England*, who from thenceforth was much estranged from the Queen of *Scots*, as well for that she charged her with breach of promise, as because it appeared she leaned to some others besides her self.

The Queen of Scots letters intercepted.

The Regent presently after took his journey homewards, and being attended by the Sheriffes and Gentlemen of the Countrey at the Queen of *Englands* direction, came

The Regent returneth to Scotland.

An. 1568.



The Duke
made Deputy
by the Queen
of Scots.

He writeth to
the Assembly
of the Church.

The Assem-
blies answer.

Commissio-
ners from the
Churches the
Regent.

Petitions in
behalf of the
Church.

Orders for
giving degrees
in Divinity.

The Regent
and Duke
agreed.

came safely to *Berwick* the first of *February*, and the day following to *Edinburgh*, within a few days he went to *Striveling*, and in a convention of the Estates, having related the proceedings in *England*, had all ratified and approved.

The twentieth of the same moneth, the Duke of *Chattellerault* returned, and being made deputy by the Queen of *Scots*, caused publish his letters, prohibiting the subjects to acknowledge any other Sovereign then the Queen. Hereupon the Regent gave forth Proclamations, charging the lieges in the Kings name to meet him in Arms at *Glasgow* the tenth of *March*. The Duke in the mean time sent to the Assembly of the Church convened at that time in *Edinburgh*, a prolix letter, wherein he signified, "That being in *France*, and hearing what troubles were moved at home, the love he carried to his native countrey made him return with intent to pacify these stirres at his utmost power; And howbeit in his absence he had suffered wrong, yet he assured them that his own particular did not grieve him so much, as the danger wherein the Kingdom was brought, by the diversity that had happened betwixt the Queen their native Sovereign, and a part of her subjects, which he wished to be removed in some quiet and peaceable manner: and that the Estates convening might (after they had considered the ground and beginning of these troubles, which he conceived to be the murder of the Queens late husband) with one consent agree upon some reasonable course to be followed for redresse thereof, and of the evils which thence had proceeded, whereunto he and all the Nobility continuing in the obedience of the Queen their Sovereign, should be found pliable; which he did not write, as he said, because of the Proclamations made by the Earl of *Murray* to convene people in *Glasgow* the tenth of *March*: for since these troubles began he was not in the countrey, and if all *Scotland* were gathered, he would trust for his own and his predecessors good deserving to find such favour, as if the Earl of *Murray* would invade him and his friends, he should not be assisted by any of them to do him wrong. Therefore desired them in Gods behalfe (so the letter beareth) to make his minde and intention known to the people, or if they did not think his desires and offers reasonable, that they would come and reason with himself, whom they should finde easy to be ruled in all matters according to Gods word and equity.

To this letter dated at *Hamilton* the 27. of *February*, 1568. the Assembly answered, "That they would communicate the Letter with the Regent, and know his pleasure, whether or not they should send any of their number to the Duke in Commission to treat with his Grace. Which accordingly they did, appointing the Superintendents of *Lothian* and *Fife*, with Mr. *John Row*, to go unto the Regent, and having obtained his licence to pass to the Duke and Noblemen that were in his company, and use all means possible for reconciling them to the obedience of the King and his Regent.

They had also certain Petitions given them to be presented to the Regent in name of the Church, as to desire, *That beneficed persons not bearing function in the Church, and subject only in payment of thirds, should be compelled to contribute for sustentation of the poor. That remedy might be provided against the chopping and changing of Benefices, diminution of rentals, and setting of Tithes in long leases to the defrauding of Ministers and their successors, that they who possessed plurality of Benefices, might be caused dimit all saving one. That the jurisdiction of the Church might be separated from the Civil, and that they might without his Graces offence and the Councils, use their censures against the Earl of Huntley for deposing the Collectors of the Church, and placing others in their roomes, by his own authority.* Such a respect was carried in that time to Civil power, as the Church could not proceed in censures against men in prime places without their knowledge; the neglect whereof in after times brought with it great troubles both to the Church and State. I find in the same Assembly, the *University of S. Andrews* ordained to meet, and form such orders as they should think fit, for giving degrees in divinity: whereby it appeareth, that our first reformers were not enemies to degrees, either in Schools or in Church.

But to return to the State; by the travels of the Superintendents matters for that time were transacted betwixt the Regent and the Duke in this manner.

"That

“That the Duke should come to *Glasgow*, and submit himself to the Kings authority. That he and his friends should be restored to their honours and possessions. That he should give surety for his and their continuing in the Kings obedience, and that the rest who were joyned with him in that cause, should be all accepted upon the same conditions. This transaction not contenting the Earls of *Argile* and *Huntley*, they refused to be comprised under it, either thinking to obtain better, or more easie conditions of the Regent, or animated by the Queen of *Scots* letters, who had then conceived some hopes of liberty.

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The Duke hearing that they would not accept the conditions, did forthink what he had done, and at the day appointed for giving in his surety, though he came himself to *Edinburgh*, made divers shifts, desiring that all matters might be continued to the tenth of *May*, when the two Earls were expected, and the Queens mind would be better known. It was told him, *That the Earls were treating severally for themselves, so as he needed not to wait on their coming. And for the Queens approbation, being askt, if she would deny it, what in that case he would do?* more ingenuously then profitably for himself, he answered, *that he was drawn against his will to make the promise he had made, and that if he were freed of it, he would never consent to the like.* Thereupon was he and the Lord *Hereis* (who accompanied him, and was thought had diverted him from his former resolution) committed in the Castle of *Edinburgh*.

He forthinketh his yielding.

The Duke and Lord *Hereis* committed to the Castle of *Edinburgh*.

The Earls of *Argile* and *Huntley*, who were at the same time making their own appointment, had a day assigned them at *S. Andrews*, whither *Argile* came first, and with him the difficulty was not great, because in the last tumults he had carried himself more moderately then others; wherefore of him no more was craved but that he should swear obedience to the King and Authority in time coming, as he did. The business with *Huntley* was greater, for he during the Regents absence had usurped the Royal power, placing Lientenants in the countreys of *Angus, Mernis, & Strathern*, & committed great spoils upon the subjects in those parts. Therefore when as divers of the Councel did advise to put all things past in oblivion, it was by others opposed, *That the example of such impunity would prove hurtful: for when they that had continued in the Kings obedience, and sustained losse in their goods, should perceive the Rebels after a manner rewarded, and no regard taken of their losses, they would undoubtedly grudge, and if troubles should afterwards arise, be more slack to do service; yea granting there were no such inconvenience to be feared, yet neither the Regent, nor yet the King himself, could by law remit the robbing of another mans goods, unless restitution was made of that which was spoiled.* And whereas some did object his greatnes, and that his lying out, might cause great unquietnes; *It was an idle fear: for was not his Father a man of greater wealth and wisdom easily brought under foot, when he set himself against the Authority? And shall he who hath not as yet repaired the calamities of his house, be able to withst and the forces of a whole Kingdom? It is more foolish, they say, that he will seek to some forain Prince, and so endanger the countrey, for whom shall he find? Princes are not wont to make accompt of strangers, further then may serve to their own commodity.* To accept him in favour, they said, was sufficient, albeit he gave satisfaction to the subjects whom he had wronged. This opinion prevailing, it was concluded, that after trial of the complaints, he should satisfy those that he had wronged, at sight of the Councel.

A treaty with *Argile* and *Huntley*.

But then arose another question, *Whether all that had assisted him in these last troubles, should be comprised in his remission; and power given him to compone with them, for satisfying such as complained; or that they should be severally called, and every man fined as he should be tried to have offended?* They who thought the Earl too rigorously used in the point of satisfaction, held that to be the smallest favour which could be done to him, to remit his followers to himself. But to the contrary it was answered, *That in civil warres nothing was so much to be looked unto, as the weakening and dissolving of factions, which is the most easily wrought, when the Prince reserves to himself the power of pardon and punishment.* It was further said, *that a several examination was necessary, because all had not offended alike, and that no man was so unfit to take that trial, as the Earl himself, because in all probability they should have most favour at his hand, who had been most forward in his service, and so the least guilty should bear the heaviest punishment.* Upon these considerations it was thought meet

Huntley remitted upon some conditions.

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The Regents
expedition into
the North.The Lord Boyd
bringeth letters
from both
Queens to
the Regent.

to convene his followers severally, remitting his domesticks only to be used by him at his pleasure. And thus was he received into grace; which done, the Regent made an expedition into the North, where having kept Justice Courts at *Aberdene, Elgin, and Innerness*, he settled all those parts in peace, and for observing the same, took pledges of *Huntley*, and the principal claim of the countrey.

In his return the Lord *Boyd*, who was lately come from *England*, did meet him at *Elgin*, with letters from both the Queens, and some others written by his private friends in the *English* Court; The Queen of *England* in her letters made offer of three conditions in behalf of the Queen of *Scots*, requiring one of the three to be accepted. These were, *That she should either be absolutely restored to her Royal dignity; or be associated in the government with her sonne, and in all letters and publick acts honoured with the title of a Queen, the administration of affaires continuing in the Regents hands, till the King should be 17. years of age; or if none of these could be granted, that she might be permitted to return unto her countrey, and live a private life, having honorable means appointed for her entertainment.* The Queen of *Scots* desired, *that Judges should be appointed for cognoscing the lawfulness of her marriage with Bothwel, and if the same was found contracted against the lawes, it might be declared null, and she made free to marry where she pleased.* From private friends, especially by a letter of Sir *Nicholas Throgmorton*, the Regent was advertised, that the marriage of the Duke of *Norfolk* with the Queen of *Scots* was concluded, and that they did wait only the opportunity of performance. Wherefore he wished him to concur with his best friends in that matter, and to do it with such expedition and good affection, as it might not appear either to the Queen his sister, or others who had interest in the business, that his consent was extorted, and not willingly given. To this effect he advised him to send the Laird of *Lethington* to *England* with speed, as the wisest and most sufficient man he could chuse, who would provide for him & the rest that had assisted him, substantially and assuredly. *His conscience, he said, & some over precise objections might perhaps trouble him; but if he could have espied any other thing then his overthrow in resisting, he would not have written so peremptorily unto him.* Then concluded with these words, *No mans friendship will be more embraced then yours, no mans estimation be greater if you shal conform your self, & concur with your friends in this: contrariwise, if you withstand, or become an adverse party, you wil be so incumbred both from hence, from thence, & all other places, as no man can advise you what to do. Therefore God send you to direct your course for the best.*

A letter from
Sir Nicholas
Throgmorton
to the Regent.A letter from
Sir Nicholas
to Lethington.

This letter was accompanied with another from Sir *Nicholas* to *Lethington*, wherein he shewed, that according to his advice he had written to the Regent with a great zeal, and care of his well doing (these were the words he used) and requested he should hasten his coming to Court for that businesse, the same being as yet concealed from the Queen, till he as the fittest Minister might propound the same in behalf of the Regent, and Nobility of *Scotland*; whereunto he held it assured the Queen would assent, as preferring her own surety, the tranquillity of her Kingdom, and conservation of her people, before any device, that might proceed from the inconsiderate passions of whomsoever. And that he might be the more encouraged, he did inform him particularly of the Duke of *Norfolks* consent, and the approbation of the Earls of *Arundel, Pembroke, Leicester, Bedford, Shrewsbury*, and the rest of the wisest, noblest, ablest and mightiest of that Realm. And it was truth that he wrote of their consenting, howbeit with a condition, *so that the Queen of England was not against it*: yea, beside these divers well affected both to Religion and State, did wish the purpose a good successe; for perceiving no inclination in the Queen of *England* her self to take a husband, they feared the Queen of *Scots*, who was her undoubted heir, by matching with some forain Prince, might endanger both Religion and State; and therefore desired the marriage with the Duke might take effect, he being a Nobleman of *England*, beloved of the people, and educated in the Protestant Religion: for by this match, as they made account, if it should happen the young King to die, the two Kingdomes might be united in a Prince of the *English* Nation; or if he lived unto a ripe age, he might be married with the Dukes youngest daughter, who was near of the same age, and that way the two Crowns be made one. But these devices proved idle and vain, as we shall hear.

The

The Regent for answering these letters, did appoint a meeting of the Estates at *Perth* in *July* thereafter. At which time an Assembly of the Church was also kept in *Edinburgh*, and from it Commissioners directed to the Convention, to renew the Petitions made the year preceding, that as yet had received no answer. And further, to desire, "that a portion of the tithes might be allotted for sustentation of the poor; the labourers of the ground permitted to gather the tithes of their proper corns, paying for the same a reasonable duty; and that the thirds of Benefices being really separated from the two other parts, the Collectors of the Church might peaceably intromet therewith, for the more ready paiement of Ministers according to their assignations. But these Petitions, in regard of the more weighty businesse were deferred to another time.

An. 1569
A Convention
of Estates at
Perth.

And the Convention falling to consider the letters sent from *England*, did hardly accord upon an answer. Beginning with that of the Queen of *England*, they judged the first condition so derogatory to the Kings authority, as they did simply reject it. The second of Association, was held dangerous, and third onely thought reasonable, and meet to be accepted. But when they came to speak of the Queen of *Scots* desires, the contentions was great; they that stood for the Kings authority, taking exception first, of her imperious form of writing, and that she did command them, as though she were their absolute Queen; then at the desire it self they excepted, not holding it safe to condescend unto the same before the Queen of *England* should be acquainted therewith: for they conceived some other thing to be lurking under that purpose of divorce then was openly pretended. Such as affected the Queen, and were privy to the marriage intended with *Northfolk*, excusing the form of writing, and laying the blame upon her Secretaries, made offer to procure new letters in what terms they pleased, so as judges were named to proceed in the divorce; and when they saw this not to be regarded, in a chafing mood they said, *That it was strange to think, how that they not many moneths passed seemed to desire nothing more then the Queenes separation from Bothwell, should now when it was offered decline the same.* It was answered again in heat, *That if the Queen was so earnest in the Divorce, she might write to the King of Denmark, and desire him to doe justice upon Bothwell, for the murder of the King her husband. That done, the divorce would not be needfull, and she freed to marry where and when she pleased.*

Their judgement of the
Letters sent
from the two
Queens.

The Convention breaking up, and neither the Queens faction obtaining what they desired, nor *Lethington* the employment which he affected, new suspicions began to rise on all sides, and as in the most secret practices, somewhat alwayes is bursting forth, a rumour went rise amongst the common sort, that *some great enterprise was in hand, which would bring with it a wonderfull change in both Kingdomes.* Mr. *John Wood* one of the Regents domesticks being sent with the answer of the convention, did signifie to the Queen of *England* the businesse made about the divorce and what was done concerning it; but she not seeming to regard the matter, professed that she was not satisfied with the answer of the convention, and desired they should think better of the conditions proposed. The truth was that she held not the Gentleman of sufficient quality to deal in such businesse; for otherwise she was not ignorant of the cause, wherefore the divorce was sought, and had warned *Northfolk* to take heed on what pillow he laid his head; yea, she took so ill the Queen of *Scots* carriage in that matter; as shortly after she caused her to be removed to *Coventry* more within the Countrey, and gave her in custody to *George Talbot* Earl of *Shrewsbury* and *Edward Hastings* Earl of *Huntingdon*.

A message
sent into Eng-
land.

The Regent upon his servants return convened the Nobility again at *Striveling*, where in effect the same answer that of before, was given to the Propositions made by the Queen of *England*; and herewith *Robert Piscarne* Abbot of *Dunfermling*, a man of good sufficiency was directed, who was willed to say, for the point of association, *That the same could not be granted, as tending to the utter overthrow of the Kings authority, and the indangering of his person. For besides that the participation of a Crown was obnoxious to many perils, there could be no equality of Government betwixt an infant King, and a woman of mature age, who would finde a thousand wayes being*

The Abbot of
Dunfermling
sent into Eng-
land.

An. 1569. *once possessed with a part of the rule, to draw the whole unto her self. And if it should fall that she matched with some forrain Prince, or other great Personage who must needs be partner with her in the Government, the danger would be so much the greater. These and the like reasons he was willed to use for the Queen of Englands satisfaction. But before his coming to Court, the face of things was quite changed. The Duke of Northfolk committed to the Tower, and the Bishop of Ross put in the keeping of the Bishop of London. After which brake shortly forth that rebellion in the North part of England, whereof Thomas Piercie Earl of Northumberland, and Charles Nevill Earl of Westmerland were the heads. A rebellion, that in the beginning caused great stirre, and put the Queen of England in such fears, as once she resolved to send the Queen of Scots by Sea to the Regent, but the sudden dispersing of the rebells, altered that resolution.*

The Earl of Northumberland imprisoned in Lochlevin.

Lethington charged with the Kings murther.

The two Earles fleeing into Scotland, Northumberland was not long after put out by some borderers to the Regent, and sent to be kept in Lochlevin; Westmerland found the means to escape into Flanders, where he lived long in a poor and contemptible estate.

Lethington perceiving all his devices frustrated, and being conscious to himself of diversill practices remained for the most part with the Earl of Atholl at Perth, who being sent for to come to the Regent, made divers excuses, and when he could not shift his coming any longer, intreated Atholl to accompany him, that if need was he might use his intercession. Being at Striveling in Councell, Captain Thomas Crawford, servant to the Earl of Lenox, did openly charge him with the Kings murther: whereupon he was committed in a chamber within the Castle of Striveling. And at the same time were certain directed to apprehend Sr. James Balfour, who was guilty of the same crime; but he made an escape. Lethington was sent prisoner to Edinburgh (where he was to have his triall) under the charge of Alexander Home of North Berwick, a trusty Gentleman.

The Laird of Grange counterfeith the Regents hand, and taketh Lethington to the Castle.

Having staid some dayes in lodging not far from the Castle, the Laird of Grange counterfeiting the Regents hand, came about ten of the clock at night, and presented a warrant for receiving the prisoner in his keeping: the Gentleman taking no suspition, obeyed, for he knew no man to be more inward with the Regent then was Grange. And he indeed unto that time did carry the reputation of an honest man; nor was any one thought more sure and fast then he was. But from thenceforth he became hated of all good men, and was in no esteem, as having abused his credit, and deceived the Regent, to whom he was many wayes obliged. For besides other benefits, he had preferred him before all his own friends, to be keeper of the Castle of Edinburgh. The next day being sent for to come to the Regent, he refused. Nottheless, the next day following (so carefull the Regent was to reclaim the man) he went himself to the Castle, and conferred a good space with him, accepting the excuse he made, and contenting himself with a promise to exhibite Lethington, when he should be called to his triall.

The Regent makes an expedition to the borders.

After which keeping his journey to the borders, which he had intended, he went by the Mers, and as he was accustomed tooke up his lodging in the Castle of Home. But there he was coldly received, the Lord of the place having changed his party, and taken himself to the contrary faction. From thence he went to Tiviotdell, and though he was advised by his friends, because of his small company, to return, and deferre his journey to another time he would needs go on, and had great obedience shewed in all the parts to whom he came.

He is informed of practices against his life

All the time of this expedition, he had warning given him dayly of some practices against his life, wherein Grange was ever named as one of the principalls. But he not trusting these informations, sent the copies of all his advertisements to Grange, whose purgations were so slender, as he was ever after that time held suspected. Soon after the Regents return from the borders, the Abbot of Dunfermline came home from England, shewing that the Queen had taken in good part the answer of the Councell, and was specially pleased with the taking of Northumberland, which he promised to remember with all kindness.

And now the Diet approaching of Lethingtons triall, because of the numbers that were

were preparing to keep the day, the Regent disliking such convocations, and for that he would not have Justice outbragged, did prorogate the same for foure moneths.

An. 1569.

Lethingtons trial deferred.

James Hamilton of Bothwell-baugh, taketh in hand the Regents murder.

The adverse faction finding his authority dayly to increase, and despairing of any success in their attempts, so long as he lived, resolved by some violent means to cut him off; and to bring the matter to pass, one *James Hamilton* of *Bothwell-baugh* did offer his service: This man had been imprisoned some time, and being in danger of his life, redeemed the same by making over a parcell of land in *Lothian* called *woodhously* that came to him by his wife, to *Sir James Ballenden* Justice Clerk: How soon he was let at liberty, he sought to be repossessed to his own, and not seeing a way to recover it (for the Justice Clerk would not part therewith) he made his quarrell to the Regent, who was most innocent, and had restored him both to life and liberty. The great promises made him by the faction, with his private discontent, did so confirm his mind, as he ceased not till he put to execution the mischief he had conceived against him; and having failed the occasion which he attended at *Glasgow* and *Striveling*, he followed the Regent to *Linlithgo*, where lurking privately in the Archbishop of *St. Andrews* his lodging, the next day, as the Regent did pass that way, he killed him with the shot of a bullet, that entering a little beneath the navell, and piercing the bowels, did strike dead the horse of a Gentleman who was riding on his other side. The Regent had warning given him the same morning, that one did ly in wait for his life, and had the house designed where the man did lurk, but giving small ear unto it, answered, that *his life was in the hands of God, which he was ready to yield at his good pleasure.* Onely he resolved to pass out of the Town by the same gate at which he entered, and to turn on the back of the Town, unto the way that led to *Edinburgh*, whither he was purposed. But when he had taken horse, either that he would not seem fearfull, or then hindered by the throng of horsemen that attended, and thinking to ride quickly by the house that was suspected, he changed his resolution: but the throng there working him the like impediment, the murtherer had the occasion to execute his treachery.

The Regent killed by the shot of a bullet.

How soon the Regent perceived himself stricken, he lighted from his horse, and returned on foot to his lodging: The Chirurgeon at the first inspection of his wound did affirm it not to be deadly, yet after a few houres his pain increasing he began to think on death. They who stood by, saying, that *he had lost himself by his clemency, having spared that miscreant whose life he might justly have taken:* he answered, that *they should never make him forthink any good he had done in his life.* Thereafter giving order for his private affairs, he seriously commended the care of the young King to such of the Nobility as were present, and died a little before midnight. This fell out the 22. of *January*, 1569. being Saturday.

The murtherer escaping by the Postern-gate of the garden came the same night to the town of *Hamilton*, where at first he was welcomed with many gratulations, and made much of; yet shortly after to decline the envy of the fact which they heard was universally detested, they gave him a little money and sent him away unto *France.* *Thuanus* writeth in his story, that not long after he came thither, he was solicited to undertake the like interprise against *Gasper Colignie* that worthy Admirall of *France*, and that he did answer, that *he had no warrant from Scotland to commit murders in France; and howbeit he had taken revenge of the wrong done to himselfe, he was not either for price or prayer, to undertake other mens quarrells:* Whether this was so or not, I leave it upon the credit of the Writer.

The murtherer escapeth.

Thuanus. 46.

The death of the Regent was by all good men greatly lamented, especially by the Commons, who loved him as their father whilest he lived, and now mourned grievously at his death. The great things he had wrought in his life, (having in the space of one yeare and a little more, quieted the State, which he found broken, and disordered) made his very enemies speake of him after his death with praise and commendation. Above all his virtues, which were not a few, he shined in Piety towards God, ordering himself and his Family in such sort, as it did more resemble a Church, then a Court.

The death of the Regent greatly lamented.

An. 1569. For therein besides the exercise of devotion, which he never omitted, there was no wickedness to be seen, nay, not an unseemly or wanton word to be heard. A man truly good and worthy to be ranked amongst the best Governours that this Kingdome hath enjoyed, and therefore to this day honoured with the Title of *The good Regent*.

A prediction
of John Knox.

There fell out the next day after his death a thing which I thought was not to be passed; He was killed on the Saturday, and died (as I have said) a little before midnight. The word of his death coming to *Edenburgh*, *Thomas Maitland* a younger brother of *Lethinton* (this is he whom *Buchanan* makes his Collocutor in the Dialogue *De jure Regni*) knowing what esteem *John Knox* made of the Regent, and loving none of the two, caused a writing to be laid in the Pulpit where *John Knox* was that day to preach to this sense, and almost in the same words. *Take up the man whom you accounted another God, and consider the end whereto his ambition hath brought him.* *John Knox* finding the paper, and taking it to be a memoriall for recommending some sick persons in his Prayers, after he had read the same, laid it by, nothing as it seemed commoved therewith, yet in the end of the Sermon, falling to regrave the loss that the Church and Common-wealth had received by the death of the Regent, and shewing how God did often for the sins of the people take away good Rulers and Governours; *I perceive*, said he, *albeit this be an accident, we should all take to heart; There be some that rejoyce in this wicked fact, making it the subject of their mirth, amongst whom there is one, that hath caused a writing to be cast in this place, insulting upon that which is all good mens sorrow. This wicked man whosoever he be, shall not goe unpunished, and shall die where none shall be to lament him.* The Gentleman was himself present at Sermon, and being come to the lodging, asked his sister who was also there, if she did not think *John Knox* was raving to speak so of the man he knew not? But she weeping, said, that she was sorry he had not followed her counsell, for she had dissuaded him from that doing. *None of this mans denunciations*, said she, *are wont to prove idle, but have their own effect.* Shortly after, the troubles of the Countrey increasing, the Gentleman betook himself to travel, and passing into *Italy*, died there, having no known person to attend him. This I thought not unworthy of record being informed thereof by the Gentlemans sister to whom these speeches were uttered, and who was privy to the whole purpose, for an advertisement to all persons, not to make a light account of the threatnings of Gods servants: The Gentleman was otherwise a youth of great hopes, learned and courteous, but miscarried with affection, and not to be excused in this that he took pleasure in the fall of him, whom he judged an enemy; a thing inhumane and abhorred of the very heathen.

An Ambassa-
dour sent from
England.

The word of the Regents death carried in haste to *England*, the Queen sent *Thomas Randolph*, Master of her Posts, Ambassadour into *Scotland*, partly to conferre with the Councel, upon the surest means to keep affairs in the state they were, and partly to complain of the incurfion lately made in *England*. For the very night after the Regents murther, *Walter Scot* of *Baclugh*, and *Thomas Ker* of *Pharnerst*, had invaded the countrey bordering upon them, and practised greater hostility then was accustomed; of purpose to embroyle the two Kingdomes in a publick warre, which they of the *Scottish* Queens faction most earnestly desired. The Ambassadour was no sooner come, but he had hearing given him by the Councel, to whom after he had spoken a few words concerning her Majesties good affection to the Realm in general, and in her name commending to their care the preservation of Religion, the safety of the young King, and the punishment of the late murther, he did much aggravate the insolence of the borderers, and the spoil they had made in *England*, saying, “ That his Mistresse knew sufficiently that these things were not
“ done by publick allowance, and therefore meant not to make quarrel to the coun-
“ trey, but take her self to the actors, whom if they by themselves could not sup-
“ press, her Majesty would either joyn her power to theirs, or if they thought meet,
“ send an Army into *Scotland*, which without doing harm to any good subject,
“ should only punish the committers of that insolence.

The Ambassa-
dours speech in
Councell.

The Councel returning many thanks to the Queen for her kind Ambassage, ex-
cused

cused themselves by the present troubles, that no determinate answer could as then be given to his propositions, and therefore besought him to have patience unto the first of *May*, at which time the Estates of the Realm were to meet, by whom her Majesty should receive all satisfaction. The Estates convening at the day, *William Douglas of Lochlevin*, brother uterine to the late Regent, preferred a Petition to the Council for some course to be taken in the revenge of his brothers murder, considering he was taken away in the defence of the common cause of the Realm, and not upon any private quarrel. The Petition was held reasonable by all that were present, every one consenting to the pursuit, and punishment of the murderer, and his complices. But in the manner they agreed not, some advising that not the murderer only, but all who were suspected to have had a hand in the treachery, should be called to underlie the ordinary trial of law, at a certain day. Others esteeming such a form of process unnecessary with them, who had already taken Arms to maintain the fact, and that the best course were, to pursue with all hostility, both these that were delated of the recent crime, and such as had been forfeited in the Parliament preceding. Many inclined to the last course, yet because it was opposed by divers of special note, there was nothing concluded in the business; which was generally ill taken of the people, who construed the delay to proceed of some private favour carried to the enemies, and to be done of purpose, that either with time the hatred of the murder might be lessened, or the adversaries might have leisure to make themselves more strong.

An. 1570.

The Laird of
Lochlevin ur-
geth a revenge
of the Regent's
murder.

The delay ill
taken of the
people.

The Assembly of the Church, in the mean while (which was then convened at *Edinburgh*) to declare in what detestation they had the murder committed, did ordain the murderer to be excommunicated in all the chief Burghs of the Realm, and whosoever afterwards happened to be convicted thereof, to be used in the same manner. In this Assembly, divers constitutions were made for discipline, and amongst others an Act for the publick inauguration of Ministers, at their entry, whereunto the revolt of some Preachers gave occasion, that forsaking the Pulpit, took them to the pleading of causes before the Lords of Session. It was then also condescended, that forth of the thirds, five thousand merks should be yearly paid for the furnishing of the Kings house, and the Church burthened with no further duty.

An. 1570.

Some few days after, the principals of the Queens faction being convened at *Glasgow*, the Earl of *Argile*, and Lord *Boyd*, did write to the Earl of *Morton*, and offer to joyn with the rest of the Nobility, in the trial and punishment of the Regents murder, so as the meeting were appointed at *Striveling*, *Falkirk*, or *Linlithgow*, for to *Edinburgh* they would not come. This letter (as he was desired) he communicated with the Secretary, who was after the Regents death come forth of the Castle, and by the Earl of *Atholl* brought again unto the Council, having first purged himself of the accusation laid against him, and promised to submit himself unto the most severe triall that could be taken; his advice to the Earl *Morton* was, that the Noblemen should all be brought to *Edinburgh*, which for those of the Queens party, he undertook to do, and to that effect he sent letters unto the principalls of that faction, shewing that they had no cause to fear, being in forces superiour to the others, and having the Lord of *Grange* on their side, (for he had then plainly declared himself for the Queen) who was both Provost of the Town, and commanded the Castle. Thus about the midst of *March* the Earls of *Huntley*, *Atholl*, and *Crawford*, with the Lords *Ogilvy*, *Home* and *Seaton* did meet at *Edinburgh*. The Earl of *Argile*, the *Hamiltons*, and the Lord *Boyd*, came as far as unto *Linlithgow*, but by occasion of a tumult raised amongst some souldiers, they were forced to disperse their companies, and return home to their dwellings. Within a few dayes the Earls of *Marre* and *Glencarne* came likewise to *Edinburgh*, after whose coming, the Lords of both factions meeting to confer, did think fit to continue all things till the Earl of *Argile* was advertised, whose authority was great in those times. And when it was known that he was gone back from *Linlithgow* the Earl of *Huntley* followed to perswade his return, but he would not consent. They write the Secretary should have privily dissuaded him, as one who loved to keep all things loose,

The principals
of the Queens
faction writ to
the Earl of
Morton.

Leithington of-
fereth himself
to a trial.

A meeting at
Edinburgh of
the Noblemen
of both parties
in *March*.

but

An. 1570.



They deliberate upon the choice of a Regent.

but I do not see what advantage he could expect that way, and think rather that as his estate then stood, he did earnestly desire to have matters accorded. The true cause of *Argile* declining that conference seems to have been the averfeness of his brother and others of his friendship, who refused to follow him in that quarrel, and carried a constant affection to the maintaining of the Kings authority.

When as the other Noblemen perceived that *Argile* would not come, they began to treat of the choice of a Regent, in place of him who was taken away. Here first they fell to question their own power and authority, which some maintained to be sufficient because of the Patent the Queen had given at first, for the administration of affairs in her sons minority; in which seven Noblemen were named, besides the late Regent, and that of this number, they might choose as they said any one. Others reasoned that no respect ought to be had to that Patent, the same being expired by the creation of the last Regent, for which only at the time it was granted. The more moderate gave their opinion, that all proceeding in that business should be delayed till the convention of the Estates in *May* next. This was likewise opposed by a number, that esteemed the protracting of time dangerous, and thought that it concerned the Noblemen who had first assisted the Coronation of the King, and continued firm in his obedience, to nominate a Regent, that would be careful of the young King his preservation, and of the quiet and tranquillity of the Realm. But this opinion, as tending to the fostering of discord, was rejected. So that meeting dissolved, without any certain conclusion.

An Ambassadour from France.

A meeting at Linlithgow of the Noblemen that stood for the Queen.

At the same time one *Monsieur Verack* Cubiculaire to the French King landed at *Dumbarton*, bringing letters to the Noblemen of the Queens faction, full of thanks for the constant affection they had shewed in maintaining the cause, and promises of present succours. This did so animate them, as in a frequent meeting kept the first of *April* at *Linlithgow*, they began to discover the intention which before they had concealed, of making war upon *England*; for this, as they judged, would serve to obliterate the late Regents murder. And to give the more authority to their proceedings, they took purpose to remove to *Edinburgh*, using all means to draw the Town to be of their party, which they thought would be easily obtained by reason of *Grange* his Commandment, and if they should once compass this, they put no doubt to draw the rest of the countrey their way in a short time. But first they resolved to advertise the Town of their coming, and to intreat their favour. The Magistrates answered, *That their gates should be patent to all that professed themselves subjects to the King, but they would neither receive the English Rebels* (meaning the Earl of *Westmerland*, and Lord *Dacres*, who were in company with the Lords) *nor the Hamiltons, and others suspected of the Regents murder, nor yet to permit any Proclamations to be made, derogatory to the Kings authority.*

They give out a Proclamation.

These conditions seemed to them hard, yet hoping by conversation to winne the people to their side, they came forward. The next day after their coming to the Town, they gave out a Proclamation, “ Declaring their good affection towards “ the maintenance of true Religion their Sovereign, the liberty of the countrey, and “ the settling of the present divisions, which must, as they said, unless timely remedy were provided, bring the Realm to utter destruction. They desired “ therefore all men to know, that they had esteemed the enterprise taken by some “ Noblemen against the Earl of *Bothwell*, for revenging the murder of the King, “ and setting of the Queen at liberty, both good and honourable, whereunto they “ would have given their assistance, if the same had been duly required. And for “ the things that had intervened, which they did forbear to mention, lest they “ should irritate the minds of any, their desire was the same might be in a familiar “ and friendly conference calmly debated, and a peaceable course taken for removing the differences. Mean while because they understood, that some unquiet “ spirits gave out, that their present convening was for the subversion of the religion presently professed, as they could not but give notice to all the subjects, that “ they who were now assembled, were for the most part the first and chiefeft instruments in advancing Religion, and had still continued in professing the same, “ with a resolution to spend their lands and lives in maintenance thereof: So they desired

“ desired to have it known, that their meeting at that time did only proceed from
 “ a desire they had to see a perfect union, and agreement established in the Realm,
 “ for which they were ready to meet with those of the Nobility, that differed
 “ from them in judgement and condescend (after the ground of the differences
 “ was ript up) upon such overtures as should be found agreeable to the setting
 “ forth of God his honour, the strengthening of the Royal succession, the prefer-
 “ vation of the young Prince, the entertaining of peace with forain Nations, and
 “ the settling of accord amongst the Noblemen, and other subjects. This they de-
 “ clared to be their sole intention, and rather then the same should not take the wi-
 “ shed effect, they were content to yield unto any conditions that should be thought
 “ reasonable; under protestation, that if this their godly and honest purpose for the
 “ reunion of the State was neglected, and despised, the inconvenients that ensued
 “ might be imputed to the refusers, and the Noblemen presently convened, be
 “ discharged thereof before God, and man. This was the substance of the Pro-
 clamation, in the end whereof the lieges were charged to concur with them in
 forthsetting that godly purpose, and a prohibition made under great pains, to joyn
 with any others that should attempt under the cloak of whatsoever authority, to
 hinder the same.

An. 1570.

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But neither did this declaration, nor the great travel taken by the Earl of *Athol*  
 at the same time, prevail with the other Noblemen to bring them to this meeting,  
 for still they excused themselves by the Convention appointed in *May*, “ which  
 “ they said there was no necessity to prevent; or if any extraordinary occasion did  
 “ require it, the same being signified to the Earl of *Morton*, who lay at *Dalkeith*,  
 “ upon his advertisement they should be ready to meet. So finding their hopes this  
 way disappointed, by advice of the Secretary (whose directions only they follow-  
 ed) they took purpose to deal with the Earl of *Morton* a part. To this effect the Earl  
 of *Athol*, the Prior of *Coldinghame* brother to the Secretary, and the Lord *Boyd* were  
 selected to confer with the Earl of *Morton*, and Abbot of *Dunfermlin*, but they could  
 come to no agreement. For the Earl of *Morton* (of whom they had conceived  
 some hope) would not hearken to any conditions, except they did acknowledge the  
 the King for their Sovereign. Hereupon they fell to other counsels, and first  
 to have the Town of *Edinburgh* at their direction, they craved the keys of the gates  
 to be delivered; which being refused, they resolved to contribute moneys for hi-  
 ring of souldiers, and to draw so many of their friends and followers thither, as with  
 help of the Castle might command the Town. But as they were about these de-  
 vices, advertisement was brought of an Army come to *Berwick*, under the com-  
 mand of the Earl of *Suffex*, which troubled all these projects. To remain in *Edinburgh*  
 they held it not safe, yet lest it should be thought that they left the Town for fear,  
 the Magistrates were privately desired to intreat them to depart, lest the *English*  
 should fall upon the Town, and make a spoil of it. So making a shew to please  
 the Town, by whom they had been very courteously used, they went to *Linlith-  
 gow*, and abode there the rest of that moneth. Before their parting, they gave a  
 warrant to the Laird of *Grange* for fortifying the Castle, and dimitting the Lords  
*Home* and *Hereis*, who had been committed by the late Regent. The Duke of  
*Chattellerauld* was some days before put to liberty. The Lord *Home* had a part  
 of the moneys which were contributed for levying of souldiers, given him to de-  
 fend his bounds against the *English*; but when the Lairds of *Bacleugh* and *Farn-  
 berst* desired the like, they were refused, and went away in a great discontent.

They deal  
with the Earl  
of *Morton*, but  
he will not  
hearken to  
them.

An Army  
cometh to *Ber-  
 wick* under  
conduct of the  
Earl of *Suffex*.

The Lords  
forsake *Edin-  
 burgh* upon this  
report.

They give  
warrant for  
fortifying the  
Castle.

The Army of  
*England* enter-  
eth in *Scotland*.

About the end of *April* the Army of *England* entring into *Teviotdale*, burnt the  
 Towns of *Lynwick* and *Crawling*, with the Castles of *Farnberst*, and *Brauxholm*,  
 and divers houses belonging to the *Kers* and *Scots*. And in their return to *Berwick*  
 besieged the Castle of *Home*, which was rendred by the Keepers to Sir *William  
 Drury*, at the Lord *Home* his direction, for he reposed much in his friendship. The  
 Lord *Scroop* at the same time invading the West borders, made a great spoil upon  
 the *Johnstons* and others who had accompanied *Bacleugh* in his incursion. The  
 Lords that kept together at *Linlithgow*, having advertisement of these proceedings  
 of the *English*, and suspecting they had some other intentions then the spoiling of  
 the



An. 1570.

The Lords  
desire a Truce  
from the Earl  
of *Suffex* which  
he refused.

the borders, sent a Gentleman to the Earl of *Suffex* to request a truce, till they might inform the Queen of *England* of the estate of things, and receive her Majesties answer. The Earl opening the letters that were directed to the Queen (for he had warrant so to do) and seeing them full of vain and idle brags (for to shew the strength of the faction, they had set down a Roll of all the Noblemen of their party, inserting there in both some of their opposites, and some that had carried themselves newters in all these broyls) returned answer by the messenger, that he would do as he was directed, and not grant any truce, nor keep the Army at their pleasure without employment.

A Convention  
of the Estates  
at *Edinburgh*.

The time of the Convention approaching, they who favoured the King his authority came in great numbers to *Edinburgh*. At their first meeting it was thought convenient, seeing the adverse party professed a desire of peace, to make trial of their disposition, and thereupon a Gentleman was sent with this message, *that if they would joyn for revenge of the murther of the Kings Father, and Regent, and would acknowledge the King for their Sovereign, whatsoever else in reason they could crave should be granted unto them.* The answer was short and peremptory on their part; *That they acknowledge none for their Sovereign but the Queen, and that she having committed the Government of affairs to the Earls of Arrane, Argile, and Huntley, they would follow and obey them in her service.* Then they caused proclaim the Queens authority, with the several Commissions of their Lieutenandries, and in the Queens name indicted a Parliament to be kept at *Linlithgow* in *August* ensuing.

An offer of  
peace to thoe  
of the Queens  
party.

The Queens  
authority pro-  
claimed.

A Proclama-  
tion made by  
the Estates.

The Estates perceiving there would be no agreement, gave forth a Proclamation to this effect; "First, *they said*, that it was not unknown to all the subjects in what a "happy state the Realm stood under the government of the late Regent, and what "calamities it was fallen into by his death, divers Lords and other subjects conspi- "ring with them, having presumed to erect another authority under the name of "the Queen his Majesties mother. But as such treasonable attempts had been of- "ten taken in hand, and as often through Gods favour disappointed, to the shame "and ignominy of the enterprisers, so they wished all men should understand, what "sort of people they were that had massed themselves together in the present con- "spiracy.

The Conspi-  
rators ranked  
in their Or-  
ders.

"The Conspirators they ranked in three orders, the principals *they said*, were "the authours of the cruel murthers of the King his father, and Regent; others "were manifestly perjured, as having bound themselves by their oathes and sub- "scriptions to defend the King his authority which now they impugned: A "third sort were such as had servile minds, and without regard to conscience, or "honour did follow those to whom they had addicted themselves: All which did "pretend the maintenance of true Religion, the liberty of the Countrey, and the "preservation of peace both abroad and at home. But of what probability, any "man of judgement might consider; for neither could he, who was known "to have been a persecutor of the truth, and now carried the chief sway amongst "them (meaning the Archbishop of *St. Andrews*) be thought a maintainer of Re- "ligion; nor could they be esteemed favourers of their Country, and the quiet- "ness thereof, who without any just provocation had invaded the neighbour Realm "of *England*, and publickly entertained the Queens Rebels, professing enemies "to God and Religion. As to the care they professed of the Kings preservation, "any man might conjecture how he should be preserved by them, who exiled his "Grandfather, murdered his father, did wickedly counsell his mother, led her on "courses, that had brought her to shame and dishonour, and now at last had un- "worthily cut off his Uncle and Regent, by suborning a mischance to kill him trea- "cherously. It is like: *said they*, that they will be content to live subjects to a King dis- "cended of that house, which they have so long a time persecuted, and will they not "fear, if God shall bring him to perfection of years, that he will be avenged of his "fathers and uncles murther? Neither can any be ignorant what the hope of a "Kingdome will work in ambitious spirits, especially when they finde them- "selves in a possibility to succeed unto the present possession. And these are the "men, *said they*, who seek to rule and command under the name of her whom they "have



“ have undone by their wicked practices. Of this they thought fit to advertise the  
 “ subjects, and to inhibit them from giving any assistance to the said conspirators  
 “ under pain of death. Such as of simplicity or ignorance had joyned with them,  
 “ they commanded to separate and return to their houses within the space of 24.  
 “ houres, promising in that case impunity and pardon for their by-past defection,  
 “ those onely excepted, who were suspect of the foresaid murders, and had  
 “ resset the Queen of *Englands* Rebels, and violated the publick peace betwixt  
 “ the two Realms.

An. 1570.

This Proclamation was indited with much passion, and matters now reduced to these termes, that each side prepared to maintain their quarrell with the destruction of their adversaries. The Queens faction dispatched *Vera* to *France* to inform how matters went, and to further the supply promised.

All prepare for Warre.

The Lord *Seaton* was sent to *Flanders* to intreat the Duke of *Alva* (at that time Governour of the *Neatherlands* for the King of *Spain*) for some aid of moneys and men, and to impede the traffique of the *Scottish* rebels (so they termed them that acknowledged the Kings authority) in those parts. For the point of traffick, the Duke excused himself, saying, *That he could not inhibit the same, it being against the liberty of the Low-countries, but in other things he would do his best to further the Queen of Scots cause.*

The Lord Seaton sent to *Flanders*.

Like as shortly after he sent Mr. *John Hamilton* Parson of *Dumbar* (who lay Agent with him for the *Scottish* Queen) to the Earl of *Huntley* with great store of Armor and gunpowder, and the summe of ten thousand Crowns to levie Souldiers. The Lord *Seaton* in the mean while, who could not be idle wheresoever he was, and had a great desire to approve himself by some service to the King of *Spain*, dissembeling his habit, went into the United Provinces, and dealt with *Scottish* Captains and Under officers to make them leave the service of the Estates, and follow the King of *Spain*; which being detected, he was apprehended, and by sentence of the Councell of Warre condemned to ride the Canon, yet by some help he escaped and fled to the Duke of *Alva*, who sent him home loaden with promises, and rewarded with some little present for himselfe, because of his good affection.

The Parson of *Dumbar* brings moneys and Armour to *Huntley*.

The Lords on the other side who stood for the Kings authority, sent to the Earl of *Sussex* intreating the assistance of his forces, or some part thereof, because of the common danger; and to move him the more, they advertised that the Earl of *Westmerland* and other *English* Rebels were with the Lords convened at *Linlithgow* in Armes, with intention, as it seemed, to work some mischief, which had need for the good of both Realms to be prevented, which they doubted not (so the letters bear) having his assistance to do, and to put them off the fields; whereas if supply were not sent in time, and that matters should happen to be put to a day amongst themselves, the issue might prove dangerous. Answer was made, that the forces should be sent upon sufficient hostages for their surety, during their remaining in Scotland: Withall he craved, that the *English* Rebels whom the Lords had in their hands, and such others as should happen to be apprehended, might be delivered to him, as the Queens Lieutenant, and left to her Majesties disposition. For the hostages, it was condescended that the chief Noblemen should deliver some of their friends to remain in *England* during the abode of the *English* forces, and their safe return assured, the chance and fortune of Warre only excepted, which should be common and alike both to the *Scots* and them. But touching the delivery of the *English* Rebels, the Lords intreated that the same might be continued unto the return of her Majesties answer to the instructions sent by the Abbot of *Dunfirmlin*, who was upon his journey, and had warrant from them to satisfie her Majesty in that point. To this the Earl consented, providing the Noblemen would give their bonds for the safe custody of the Rebels, and the performance of that which her Majesty, and the Ambassadour should agree unto.

The Lords who stood for the King, send to *Sussex* for supply.

The Laird of *Grange*, and Secretary *Lethington*, who as yet made a show to desire peace, laboured by their letters to keep back the *English* forces, offering what satisfaction the Earl of *Sussex* in name of her Majesty would require. That the Earl

*Grange* and *Lethington* seek to stay the *English* forces upon offers.



An. 1570. *Earl answered, that if the Lords of Linlithgow would disannull the Proclamation of the Queen of Scots authority, and discharge all capitulations for aid out of France, and all other parts beyond the Sea, remitting the present dissension to the bearing and ordering of the Queen his Mistress, and obliging themselves by their subscriptions to stand at her Majesties determination, he should stay his forces and detain them with himself, till he received new direction from her Majesty.*

Sir William Drury entereth in Scotland with an Army.

Though these answers did in no wayes please them, yet to gain some time, they gave hopes, that after conference with the Lords at *Linlithgow* he should receive all satisfaction. But he smelling their intentions, after he had received the bonds and pledges from the Noblemen of the Kings party, sent Sir William Drury Governour of *Berwick* with a thousand foot, and three hundredth horsemen into *Scotland*. How soon the Lords that were convened at *Linlithgow*, heard of their coming, and that the Earl of *Lennox* was in their company, they departed towards *Glasgow* and besieged the Castle, purposing to raze it, lest it should be usefull to the Earl of *Lennox*, who was now returned from *England*. But the house was so well defended by a few young men (they passed not 24. in all) that the siege, after it had continued the space of five or six dayes, brake up upon the rumour of the Noblemen, and the *English* forces their approaching: The Duke of *Chastelleraul* went with the Earl of *Argile* into his Countrey, the Earl of *Huntsley*, and the rest into the North.

The Castle of Hamilton rendered.

The Noblemen assisted with the *English* forces coming to *Glasgow* after a short stay marched to *Hamilton*, and laid siege to the Castle, which at the sight of the Ordinance that was brought thither for the battery was yielded to the *English* by *Andrew Hamilton* of *Meryton* Captain, upon promise to have their lives spared. The Castle was set on fire and pitifully defaced, as also the Dukes palace within the town of *Hamilton*, and divers other houses in *Cliddisdale*. In their return to *Edinburgh* they destroyed the houses and lands pertaining to the Lords *Flemyn* and *Levingston*, with the Dukes lodging in the town of *Linlithgow*, the houses of *Kinneill*, *Powdowry*, *Peill* of *Levingston*, and others that appertained to the *Hamiltons* in that shire. This done, the *English* forces returned to *Berwick*, and were accompanied thither by the Earl of *Morton*, who received again the hostages that were delivered in *England*.

The Abbot of Dunfermlin Ambassadour in England.

His instructions.

Whilest these things were a doing at home, the Abbot of *Dunfermlin* was following his legation in *England*. His instructions from the Noblemen of the Kings party were, "First, to shew the Queen that by the delay of her Majesties Declaration in the cause of the Kings Mother, all these commotions had been raised, and therefore to intreat her Majesty plainly to declare her self, and take upon her the protection of the young King. Secondly, to inform her of the difficulties they had in electing of a Regent, and crave her opinion therein. Thirdly, to shew what a necessity there was of intreating some forces of foot and horse, till the present troubles were pacified: and in regard of the publick burthens to request her for moneys to maintain 300 horse, and 700. foot, which was esteemed sufficient for repressing the adversaries power. Lastly, concerning the Rebels of *England* who were in hands, to give her Majesty assurance that they should be safely kept, and to beseech her Highness if she would have them delivered, that some respect might be had to their credit; and mercy shewed so far as could stand with her Majesties safety, and the quiet of the Realm. For the other Rebels that were as yet in the Countrey, he was desired to promise in their name, all diligence for their apprehension; and if it should happen them to be taken, that they should be committed in sure custody, till her Majesties pleasure was known.

The Queens answer to the instructions.

These things proponed to the Queen she answered, That having heard nothing from the Lords, since the late Regents death, and being dayly importuned by forain Ambassadors, she had yielded to a new hearing of the controversies betwixt them and their Queen, and that she intended to have a meeting of the Commissioners of both parties ere it was long; Therefore desired them to cease from using further hostility, and not to precipitate the Election of a Regent, the delay whereof would work them no prejudice.

This



This answer reported to the Lords did trouble them exceedingly; from the one part they saw a necessity of accommodating themselves and their proceedings to the Queen of *Englands* pleasure, and on the other, they did find a great hurt by the want of a Regent: That adverse faction having thereby taken occasion to erect another Authority, and divers of their own partakers falling back from their wonted forwardness, as not knowing on whom they should depend. After long consultation, this expedient was taken; That a Lieutenant should be appointed for certain time, with full authority to administrate all affairs; and notice sent to the Queen of *England* of the necessity they stood in of a Regent, and that there was no other way to keep the subjects in obedience. Choice accordingly was made of the Earl of *Lennox* grandfather to the King, and a Commission of Lieutenandry given him to indure to the 11. of *July* next; at which time, the Estates were warned to meet for the election of a Regent. Letters were also directed to the Queen of *England*, requesting her advice in the choice, and an answer to the other Petitions moved by the Abbot of *Dunfermlin*.

An. 1570.

The Earl of  
*Lennox* made  
Lieutenant of  
the Country.

The Queen, who was put in hope that *Westmerland* and the other Rebels of *England* entertained by the Queen of *Scots* faction, should be delivered unto her, had shewed her self very favourable unto them, but hearing that they were escaped, she made answer as follows: That she did kindly accept the good will of the Noblemen, testified by their seeking her advice in the choice of a Regent, being a matter of such importance, and so nearly touching the estate of their King and Realm. That her minde once was, they should do best to continue the election for a time, but now considering the disorders that were raised, and possibly thereafter might arise, if some person was not placed in that charge, she did allow their resolution. And seeing the abilities of men for that place were best known to themselves, she should be satisfied with their choice whatsoever it was. Howbeit out of the care she had of the young King she would not dissemble her opinion, which was that the Earl of *Lennox* her cousin, whom as she was informed, they had made Lieutenant of the Realm, would be more carefull of his safety then any other. But in any case desired them, not to think that in so doing she did prescribe them any choice, but left it free to themselves to do what was fittest. Further, she desired them to rest assured, notwithstanding of the reports dispersed by their adversaries, that she had neither yielded, nor would yield to the alteration of the state of their King and Government, unlesse she did see a more just and clear reason then had yet appeared. For howbeit she condescended to hear what the Queen of *Scots* would say, & offer as well for her own assurance, as for the good of that Realm, (a thing w<sup>ch</sup> in honor she could not refuse) yet not knowing what the same would be, she meant not to break the order of Law and Justice, either to the advancing or prejudging of her cause. Therefore finding the Realm governed by a King, and him invested by Coronation and other solemnities requisite, as also generally received by the three Estates, she minded not to do any act that might breed alteration in the Estate, or make a confusion of governments. But as she had found, so to suffer the same continue, and not permit any change therein so far as she might impede the same, except by some eminent reason she should be induced to alter her opinion. In end she desired them beware that neither by misconceiving her good meaning towards them, nor by the insolent brags of their adversaries, they should take any course that might hinder or weaken their cause, and make her intentions for their good ineffectual.

The Queen of  
*Englands* answer to the  
Lords that  
stood for the  
King.

This letter communicated to the Estates convened at *Edinburgh* the twelfth of *July*, and a long discourse made to the same effect by Mr. *Thomas Randolph* her Ambassadour, they were exceedingly joyed. So following the advice given them, they made choice of *Matthew* Earl of *Lennox*, declaring him Regent and Governour of the Realme, unto the Kings majority, or till he were able by himself to administrate the publick affaires. This was done with the great applause of all that were present, and published the next day at the Crosse of *Edinburgh*.

The Earl of  
*Lennox* created Regent.  
King.

In an Assembly of the Church kept the same moneth, there was some business moved by Mr. *James Carmichael* then Master of the Grammar School of *S. Andrews*, against Mr. *Robert Hamilton* Minister of the City, for some points of doctrine delivered by the said Mr. *Robert* in Pulpit. The points are not particularly expressed, but in the sixt Session of that Assembly, Mr. *James Macgill* Clerk of Register, Mr. *John Bellenden* of *Auchnoulle* Justice Clerk, and Mr. *Archibald Douglas*, one of the

An Assembly  
of the Church  
at *Edinburgh*.



An. 1570.

Commissioners directed from the Assembly of the Church to the Lords of the Queens party.

The Regent goes to impede the Parliament indicted at Linlithgow.

A Parliament indicted at Edinburgh.

The Regents expedition to Brichen.

An Ambassadour to Denmark.

Senators of the Colledge of Justice, were directed from the Chancellor and Council, to require them to *forbear all decision in that matter, seeing it concerned the Kings authority, and contained some heads tending to treason,* (so is it there said) *which ought to be tried by the Nobility and Council, willing them notwithstanding to proceed in such things as did appertain to their own jurisdiction;* which was judged reasonable, and agreed unto by the Church. So farre were they in these times from declining the King and Council in doctrines favouring of treason, and sedition, as they did esteem them competent Judges thereof. In the same Assembly Commission was given to Mr. *David Lindesay*, and Mr. *Andrew Hay* to travel with the Duke of *Chattellerauld*, the Earls of *Argyle*, *Eglinton* and *Cassils*, the Lord *Boyd*, and other Barons and Gentlemen in the West parts for reducing them to the obedience of the King, and his authority. The like Commission was given to the Laird of *Dun* for the Earl of *Crawford*, the Lord *Ogilvy* and their assisters in *Angus*, and certification ordained to be made unto them, that if they did not return to the Kings obedience, the spiritual sword of excommunication should be drawn against them: which I cannot think was really intended, considering the quality and number of the persons.

The Regent immediately upon his creation, and oath taken according to the custom for maintaining true Religion, and observing the lawes and liberties of the Realm, prepared to keep the Diet appointed at *Linlithgow* by the Lords of the Queens party, who were said to be gathering forces, for holding the Parliament they had indicted; And because much depended upon the success of that business, he sent to the Earl of *Suffex* for assistance of his forces. And to the Laird of *Grange* (with whom he kept some correspondence) for some Field-pieces, and other things belonging to their furniture. *Grange* at first made fair promises, but shifting those who were sent to receive the munition, said, *This his service should not be wanting to the making of a concord, but he would not be necessary to the shedding of the blood of Scottish men.* The Earl of *Suffex* deferred his answer likewise, till the Queen should be advertised. Notwithstanding the Regent observed the Diet, accompanied with 5000. Gentlemen, none of the adverse party appearing.

Thereafter a Parliament was indicted to hold at *Edinburgh*, the tenth of *October*, and the Regent understanding that the Earl of *Huntley* had sent some 160. souldiers to *Brichen*, and given order for providing victuals to the companies, who were there to meet him, made an hasty expedition thither, & having sent the Lords *Lindesay* and *Ruthven*, with Sir *James Haliburton* Provost of *Dundy*, a little before himself, went nigh to have intercepted the Earl of *Crawford*, the Lord *Ogilvy*, and Sir *James Balfour*, who were there attending *Huntley*. But they escaping, the souldiers fled to the Steeple of the Church & Castle, which they had fortified. The steeple at the Regents first coming did yield, & so many as were therein, had their lives saved; the Castle held out some days, till they heard the Canon was at hand, and then rendered at discretion. Cap. *Comts* with 30. of his souldiers were executed, because they had once served, and made defection. The rest were pardoned, upon surety not to carry arms against the present authority. This expedition ended the Regent returned to *Edinburgh*.

In the the Moneth of *August* by letters from *Denmark* it was advertised, that Colonel *John Clerk* who had served the King there in his warres with *Sweden*, was imprisoned by the suggestion of some countrey men that laboured for *Bothwells* liberty. Whereupon Mr. *Thomas Buchannan* brother to Mr. *George Buchannan* the Kings Tutor, was sent in Ambassage to *Denmark*, to require that *Bothwel* might be delivered and sent into *Scotland*, to the effect justice might be done upon him, or then that he might be judged there, for the detestable murther committed upon the perion of the Kings father, and receive his due punishment. This had before that time been often desired, but was delayed by divers occasions; and now the report of *Bothwells* greater liberty and that he had been permitted to accuse Colonel *Clerk*, a Gentleman well esteemed, & of good reputation for his service done both at home and in parts abroad; the Regent and Council took occasion to put that King in remembrance of their former requests; and if any doubt was made in those parts of *Bothwells* guiltiness, they offered to clear the same by evident probation; & thereupon intreated him by the communion of blood and nigh kindred betwixt him and



and the King of *Scotland*, that he would not suffer such a nefarious person to escape. *An. 1570.*  
 In the same letters they requested, that the Colonel might be set at liberty, and restored to the Kings wonted favour, or then be licenced to return into *Scotland*, where there was present use for his service. This Ambassage was not without fruit, and put *Boithwel* out of all credit, so as desperate of liberty, he turned mad, and ended his wicked life some years after, (as before was touched) most miserably.

All things now went ill with the Queens faction, neither saw they a way to subsist, but by labouring an Abstinence, which the Secretary earnestly went about, and prevailed so farre with the two Liegers of *France* and *Spain*, as they brought the Queen of *England* to a new Treaty with the *Scots* Queen, and to hearken unto some overtures, which she did make both for the Queens assurance, and for the settling of a perfect peace betwixt her and her son, and those that stood in his obedience. This moved the Regent, he did greatly oppose it; yet the Queen of *England* would needs have him agree to the Abstinence for the space of two moneths, in which it was thought the Treaty should take an end. Great dispute there was about the tenour and form of the Abstinence, which at last was accorded in these terms.  
 “ That the Regent should oblige himself and his partakers to cease from Arms,  
 “ and not to molest any that pretended obedience to the Kings mother, during  
 “ the space of two moneths, which should be understood to begin the third day of  
 “ *September*, providing that no innovation should be made in the government,  
 “ and all things continue in the same estate wherein they were at the death of the  
 “ late Regent: As also that the ordinary administration of the Law and Justice  
 “ in Parliament, Session, and other Courts, with the punishment of thieves and  
 “ trespassers, might proceed in the mean time by law or force in the Kings name,  
 “ and under his authority, without any opposition. This granted, by a second  
 letter the Queen of *England* signified, “ That she had appointed Sir *William Cecil*  
 “ her principal Secretary, and Sir *Walter Mildmay* Chancellour of the Exchequer,  
 “ to repair to the Queen of *Scots*, and learn what offers she would make for her  
 “ Majesties surety, and the not disturbing the Realms, if she should be put to liber-  
 “ ty. In which treaty she minded not to neglect the surety of the young King,  
 “ and the estate of the Nobility adhering to him, whereof she would be no lesse  
 “ careful, then of what concerned her self most. But in regard that treaty could  
 “ take no good effect, if the Regent and the Nobility on his side should do any thing  
 “ to the prejudice of the Queen of *Scots* and her party, she desired that no Parlia-  
 “ ment should be kept during the time of the treaty, or if it had taken beginning be-  
 “ fore the receipt of the letter, that nothing should passe therein, which might give  
 “ her cause to complain. And for the Abstinence taken unto the third of *Novem-*  
 “ *ber*, seeing there was no likelihood, the treaty should take an end in so short a  
 “ time, he was further desired to prorogue the same for other two moneths.  
 The letter dated at *Windsor* the seventh of *October*, was brought to the Regent the thirteenth, some two days after the Parliament was begun.

An Abstinence  
agreed unto.

A Treaty with  
the Queen of  
*Scots*.

This treaty did much perplex the Regent, for albeit he was advertised before, of the Queen of *Englands* condescending to hear what the *Scottish* Queen would say in her own cause, yet he did not expect any such suddain dealing, or that it should have begun without his knowledge. But making the best construction of all things, he answered, That the Parliament had taken a beginning before her Majesties letters came to his hand, and for the reverence he did carry to her, he had abstained from all proceeding in any matters, only his office of Regiment was confirmed, and the Parliament adjourned unto the moneth of January, before which time he hoped the fruit of that treaty would appear. For the prorogation of the Abstinence, he had declared at the first how hurtful the same was to the King his affairs, and that there was no true meaning in the adverse party, as did manifestly appear by the arresting of the ships, and goods of the *Scottish* Merchants, professing the King his obedience, in the Kingdome of *France*, and other divers insolencies practised at home, since the granting thereof. That howsoever he was perswaded, her Majesty had not a mind under colour of the Abstinence to ruine the young King, and those that stood in defence of his authority, yet they had received more hurt thereby then they could have done, if open hostility had been professed.

This Regents  
letter to the  
Queen of  
*England*.



An. 1570. *Therefore he desired that before he was urged with a further cessation, the ships and goods stayed in France, might be set free, the injuries committed at home repaired, and all things innovated in the Government since the late Regents death, disannulled by Proclamation: which things performed, he should willingly obey her Majesties desire.* Upon this last part of the letter, many debates arose amongst the parties, and divers particulars on either side were exhibited in writing to the Earl of *Sussex*, for verifying a breach of the Abstinence against others. That which I find most insisted upon, was the denouncing of Secretary *Lethington* *Rebell*, who being cited to appear at a certain day before the Regent and Council, was for his contumacy sentenced to lose his office, and have his goods confiscated. The Regent challenged of this point made answer, *That the Secretary could claim no benefit by the Abstinence, seeing he was the Kings subject, and stood to the defence of the Kings cause, both in England and Scotland, professing himself as much displeased with the Proclamation of the Queens authority, as any man else. And howbeit of late he had accompanied the contrary faction, yet he never declined his subjection to the King. That being required to attend his office he had refused, whereupon the same was justly taken from him; and for the confiscation complained, if he would yet declare on what side he was, he should be reasonably used.*

Secretary *Lethington* denounced *Rebell*, and looses his office.

The Secretarys Declaration.

The Secretary who had often changed his party, finding that now he must declare himself on the one side, or the other, sent to the Earl of *Sussex* this answer, “ That he did think it strange the Regent should enquire on which side he was, “ seeing his speeches, writings and actions had declared the same. Always now “ he would plainly professe, that he was not of the Lord Regents side, nor would “ he acknowledge him for Regent. That he was of that side, which would perform “ their duties to the Queen of *Scotland*, and to her son, so as neither of them should “ have cause to find fault with him that he was of that side which wished to either “ of them the place, which in reason and justice they ought to possesse; and that he “ was of that side which requested the Queen of *England* to enter into good conditions with the Queen, whereby *Scotland* might be brought in an union, and she “ restored to her liberty and Realm. He confessed, that he did not allow of the “ proclaiming of the Queens authority, nor of the Parliament indited by those of “ her part, because he foresaw the same would impede the Treaty betwixt the two “ Queens, and might do hurt many ways, and hinder the good he was about to do. “ But that would not infer an allowance of their doings. And this, *he said*, might “ give the Regent to understand on what side he was.

The Regents Reply.

This answer neither expressing a reason of his falling away from the Kings obedience, nor discovering plainly, as was desired, of what side he should be esteemed, being delivered to the Regent, received this reply; “ That it was no marvel, he “ should not acknowledge him for Regent, having deserved so ill at his hands, and “ being attainted of the foul and cruel murder of his son, the Kings father. That “ his Declaration did not satisfy that which was demanded: for where he made a “ shew to observe a duty both to the Queen and to her son, and would have it appear, that he was about the effecting of great matters; the duties he had done to “ either of them were well enough known, neither could any man look for “ any good to proceed from him. Therefore howsoever he had against his promise and subscription declined from the Kings party, he must still be subject “ to answer such particulars as should be laid against him in the Kings name. And “ seeing it was neither her Majesties meaning, that any person guilty of the Kings “ murder should enjoy benefit by the Abstinence, he that was challenged thereof “ in the late Regents time, and had in Council offered himself to the severest trial “ that could be taken could not complain of the breach of Abstinence, for any thing “ done, or intended against him. But that neither this particular, nor any other “ should be an occasion to dissolve that Treaty begun, he said, that he was content the notes of all injuries alledged on either side should be delivered in writing “ to the Earl of *Sussex*, and the trial or redresse thereof continued, till it should appear, what effect the Treaty brought forth. The prorogation of the Abstinence in the mean time, as was desired by the Queen of *England*, was yielded unto, and subscribed the fourth of *November* with this provision, *That the goods and the ships of*



of the Scottish Merchants arrested at that time in France should be released, and no stay made of such as should happen to repair thither, during the time of the Absence.

An. 1570.

Whilest these things were debating, the copy of the Articles proponed by the Commissioners of England to the Queen of Scots, for the surety of the Queen, were sent to the Lords of her faction to be considered, which were as followeth.

Articles propounded to the Queen of Scotland.

1. That the Treaty at *Leth* should be confirmed, and that she should not claim any right, nor pretend title to the Crown of *England*, during the life of Queen *Elizabeth*.
2. That she should not renew nor keep any League with any Prince against *England*, nor yet receive forein forces into *Scotland*.
3. That she should neither practise nor keep intelligence with *Irish* or *English* without the Queens knowledge, and in the mean time cause the *English* fugitives and rebels to be rendered.
4. That she should redresse the wrongs and harms done by her faction in the borders of *England*.
5. That she should not joyn in marriage with any *English* man without the consent of the Queen of *England*, nor with any other against the liking of the Estates of *Scotland*.
6. That she should not permit the *Scots* to passe into *Ireland*, without licence obtained from the Queen of *England*.
7. That for the performance of these Articles, her son should be delivered to be brought up in *England*, and six other hostages, such as the Queen of *England* should name, should be sent thither. The Castles of *Horne*, *Fast Castle*, kept by the *English* for the space of three years, and some Fort in *Galloway*, or *Cantire* be put in the *English* mens hands, for restraining the *Irish Scots* from going into *Ireland*.
8. That she should do justice according to the law, upon the murtherers of her husband and the late Earl of *Murray*.
9. That she should set her hand, and cause the Commissioners to be appointed by her party, set their hands and seals to these Articles.
10. And lastly, that all these particulars should be confirmed by the Estates of *Scotland*.

Now albeit divers of these Articles were misliked by the Lords of her faction, yet conceiving thereby some hope of her restitution, they dispersed certain copies in the countrey, to encourage those that professed her obedience, holding back such of the Articles as seemed most hard, trusting to obtain a mitigation thereof in the conference; And she indeed, I mean the Scottish Queen, shewed her self pleased withall, onely she remitted the full answer to her Commissioners that should come from *Scotland*. The rumour of the Accord held good a few days, and amused the Regent and other Noblemen not a little, till a letter directed by Sir *William Cecil* from *Chutesworth* in *Derbyshire*, where the Queen of Scots then lay, did otherwise inform, which was to this effect: "That he was put upon that employment much against his heart, and yet had not dealt therein but with a great regard of the safety of the young King and whole Estate: And that all he had done touching Scottish affairs, was under protestation, that it should be in the power of those whom the Queen and Regent should send in Commission, to change, diminish, or augment the Articles at their pleasures. Therefore did he advise the Regent, to send a Nobleman with some other well learned and practised in the affairs of the countrey, to deal in these matters; taking care, that the persons he choosed were constant and firm, and such as would not be wonne from him, nor from the cause. This Letter of the date the thirteenth of *October*, 1570. written in so friendly and familiar a manner (for therein he named some whom the Regent had lately employed, of whom he willed him to beware) gave him to understand, that matters were not so farre gone, as his adversary did bragge.

Sir William Cecil his letters to the Regent.



An. 1570.

The Earl of  
Sussex his ad-  
vertisement to  
the Regent.

After a few dayes the Earl of *Sussex* advertised the Regent “ that the Lords of  
“ the other faction had made choice of certain Commissioners to attend the treaty  
“ begun betwixt their Queen and the Queen of *England*, desiring that no trouble  
“ nor molestation should be made to them and their train in that journey ; as also  
“ to send some speciall persons instructed with Commission from the King, and the  
“ Nobility of his side, to give their best advice for the surety of the King and his  
“ dependants, if matters should happen to be accorded. And if it fell out otherwise,  
“ to consider what should be the most sure course for continuance of amity betwixt  
“ the two Realms, the preservation of the young King, the redding of the subjects  
“ to his obedience, and the defence of the Isle against forain invasions. These Com-  
“ missioners he desired to be sent with expedition, for that her Majesty longed to  
“ have an end of the business, and could not grow to any resolution, till she had  
“ conferred with them, and understood their minds.

His particular  
advice.

This he did by direction from the Queen his Mistris as he wrote, howbeit he  
himself had thought of some particulars that he held convenient to be thought up-  
on, but for the Kings security, and theirs, if his mother should be set at liberty,  
wherein he prayed him familiarly to shew what was his opinion. As first, *if she*  
*should happen to be restored to her Crown, and the King to be made to admit the authority,*  
*it might be upon condition that in case of her death, or the breach of the present agreement,*  
*he might reenter to the kingdome without any Solemnities to be used.* Next, *that a Coun-*  
*cell of both parties might be provided to her by the Queen of England for avoyding all*  
*sorts of practises.* Thirdly, *that the young King should be educated in the Realm of*  
*England under the custody of such persons, as the Nobility of his party should appoint,*  
*which would be the greatest surety for those that depended on him, and tie his mother to the*  
*performance of the Articles.* Fourthly, *that a new Act of Parliament should be made for*  
*the establishing of true Religion, and oblivion of all injuries committed on either side.*  
*Fifthly, that the Queen should give some principall men of her side Hostages to remain*  
*in England for fulfilling the heads of the agreement.* Lastly, he advised the Regent to  
send with the Commissioners that should be employed in that errand a writing signed and  
sealed by all the Noblemen of the Kings party, to shew who they were that stood on that side.  
Because besides the credit it would bring to the cause, the same would be to good purpose,  
howsoever matters went. For if the Treaty should break off, it would be seen who would  
maintain and defend the King ; Or if otherwise an accord were made, it would be known  
for what persons the Queen of England was to provide a surety.

The Regents  
answer.

Whether these Propositions were made (as he gave out) of his own head, or  
which would rather appear, that he was set on by the Queen of *England* to try the  
Regent and Nobilities mind, he answered very advisedly, and beginning at the  
last, he said, “ That he held his opinion good touching the sealing of a writing by  
“ the Nobility of the Kings party, whose number would not be found so great as  
“ he wished, because there were divers Neuters that adhered to no side, and many  
“ that desired to keep things loose, some for impunity of crimes whereof they  
“ were suspected, and others hoping to better their condition in an unquiet time ;  
“ yet he trusted to obtain the subscriptions of a sufficient number who had sincerely  
“ continued in the profession of true Religion and his Majesties obedience, and  
“ from their hearts abhorred the murtherers of the King his sonne, and the late  
“ Regent. For the other points he said, that he could not give his private opinion  
“ in matters so important, by reason of his oath made at the acceptation of the go-  
“ vernment to have no dealing in matters of that kind without the knowledge of  
“ the Nobility and Councell. And touching the Commissioners which the  
“ Queen required to be sent, there should be diligence used therein, how soon they  
“ understood of what quality the others were, that the Lords of the Queens party  
“ did choose. Neither should any molestation be made to them in their journey, so as  
“ their names, the number of their train, and the way they minded to take were  
“ notified ; For otherwise as he said, the King and Estate might receive hurt, and  
“ some that were culpable of those odious murthers steal away privately in their  
“ company. Mean while he shewed, that till Commissioners might be chosen by  
“ the advice of the Noblemen then absent, the Councell had appointed the Abbot  
“ of



“ of *Dunfermlin* Ambassadour to the Queen of England, and given him such instructions as they held needfull for the time, by whom she should be more fully advertised of their minds in all matters.

An. 1570.



About the midst of *November* the Abbot of *Dunfermlin* (then made Secretary) went into *England*. He was desired to shew the Queen “ How it was the expectation of all the good subjects in *Scotland*, that she would never forget the most cherly care she had professed to have of the innocent person of their young King; nor yet be unmindfull of the Noblemen and others professing his obedience, who had studied to maintain peace betwixt the two Realms ever since her Majesties entry to the Crown; and that they being required aswell by letters from her Lieutenant in the North, as by her Ambassadour resident amongst them, to direct some speciall persons towards her for communicating such things as they thought requisite for the surety of their King and themselves, although they had resolved upon a number sufficient for that Legation, yet they deferred to send away till they should understand who were nominated for the Lords of the other party, to the end they might equall them in birth and quality: That in the mean time lest they should be thought more negligent then became them in matter of such importance, they had laid upon him the charge, to come and signifie to her Majesty the opinion that was held in *Scotland* of the Articles framed at *Chatelworth*, which the adversaries gave out to have been craved by her Majesty, and esteemed a sufficient security for the Queen of *Scots*. And if he did find her Majesty inclining thereto, then to remember her with what a person she had to do; a Princess by birth, in Religion Popish, one that professed her self a captive, and as joyned with an husband, (suppose in a most unlawfull conjunction) and that any one of these would serve for a colour to undo whatsoever thing she agreed unto at the present; for her Majesty could not be ignorant, how after her escape out of *Lochleven*, she revoked the dimission of the Crown, made in favours of her son, (though the same was done for good respects) upon a pretext of fear: and that she did the same being a Captive. As likewise she knew the Papists Maxime of not keeping faith to Hereticks, which would serve her for a subterfuge to break all Covenants when she saw her time; and that to dimit her upon any surety, would prove no less dangerous to her Majesties own estate then to *Scotland*, considering the claim she had made in former times to the Crown of *England*, and the attempts of her Rebels at home, not yet well extinct, upon the same grounds. In regard whereof there was nothing could assure the quiet of both Realmes in their opinions, but her detention under safe custody, which could not be esteemed dishonourable, the just causes and occasions being published and made manifest to the world. As to the power of forain Princes whereof they boasted, the same was not much to be feared, so long as her person was kept sure; And if war for that cause should be denounced, the perill should be less, then if she were set at liberty, and restored to the Crown; for so she should have her forces and friendship ready to joyne with other Princes in all their quarrells, against which no Hostages could serve for assurance.

The Abbot of  
*Dunfermlin*  
made Secretary  
and sent in-  
to *England*.

This was the summe of his instructions. He had presence of the Queen the penult of *November*, and perceiving that none of these Articles were concluded, he did communicate all his instructions unto her, as he was desired; she having perused them, and reasoned thereupon with her Councell, returned this Answer, That she found in his instructions divers things worthy of consideration, which beboved to be further debated, and gravely weighed, because of their importance. Therefore desired some men of credit to be directed unto *England*, that an end might be put to that business; for as to the restitution of the Queen, seeing it appeared they had reason to oppose it, she would not have the Regent or those of his party to think that she intended to wrong them in any sort; for if they should make it appear that nothing was done by them but according to justice, she would side with them and maintain their quarrell. And otherwise if they were not able to justify their cause by such evident reasons as might satisfy her Majesty in conscience, and make her answer the world in honour, she would nevertheless for that naturall love she bare to the King her near kinsman, and the good will she carried to the Noblemen that

The Queen of  
*England*s an-  
swer, ult. No-  
vember. 1570.



An. 1570.

that stood for his authority, leave no means unprovided for their safeties: But in regard a great part of the time appointed in the last prorogation of the Abstinence was already spent, she desired the same to be prorogated unto March next, and would desire them to agree thereto, in regard they that stood for the Queen had condescended to the same, and as much more time as she should think fitting. This answer of the date at *Hampton Court* the 7. of *December* came unto the Regent the 15. who thereupon advertised the Noblemen to meet at *Edinburgh* with all diligence for taking deliberation of things desired.

The Laird of *Grange* raiseth a trouble in *Edinburgh* and breaks out in open Rebellion.

The Laird of *Grange*, whether to impede the meeting, or to divert the Council from trying a conspiracy which was then discovered, and said to have been devised in the Castle against the Regents life, it is uncertain, raised a great trouble in the town of *Edinburgh* about the same time. One of his servants called *James Fleming* being imprisoned by the Magistrates for a slaughter committed by his direction, he in the evening whilst all men were at supper, made the Garrison of the Castle to issue forth, and break open the prison doors, playing all the while upon the town with the Canon to terrifie the inhabitants from making resistance. This being complained of to the Regent, he was called to answer for the riot, but refused to appear and presently brake out in open rebellion, fortifying the Castle, and conducting a number of souldiers, who did afterwards greatly annoy the Citizens.

Commissioners sent into *England*.

The Nobility notwithstanding did keep the meeting and made choice of the Earl of *Morton*, the Abbot of *Dunfermlin*, and Mr. *James*, Mr. *Gill*, to goe unto *England*; withall they agreed to the Abstinence required, adjourning the Parliament to *May* thereafter. How soon these Commissioners were come to *London*, The Earl of *Leicester* and *Suffex*, the Lord Keeper, the Chamberlain, Sir *William Cecill* Secretary (then made Lord *Burleigh*), Sir *Walter Mildmay*, and Sir *Francis Knolls* were appointed to confer with them; These meeting in the Secretaries chamber at Court, after salutations and some generall speeches, the Lord *Burleigh* said, "That they were desired to come into *England* upon occasion of a Treaty begun betwixt the two Queens, and that her Majesty did now expect to receive from them such evident reasons for their proceedings against their Queen as where- with she might both satisfie her self and with honour answer to the world for that which she did: Or if they could not be able so to do, that matters might be composed in the best sort for their safeties, which her Majesty would by all means procure. The Commissioners answered, that they had before that time imparted the truth of all things to her Majesty, which they thought might satisfie to clear them from the crimes objected; yet if she stood doubtfull in any point, the same should be cleared, and their doings justified by most evident reasons. Nothing further was said at that time, but all continued to the next day. And then having again met, the Earl of *Morton* made a long discourse of the reasons and grounds of their proceedings, answering the objections which he thought could be made against what he had spoken. His discourse ended, they were desired to put their reasons in writing, which was with some difficulty yielded unto, and under condition, that if the reasons proposed by them did not content her Majesty, the writing should be redelivered, and no Copy taken thereof; Otherwise, if her Majesty did like and allow them, they were content the same should be put in Record, if so it pleased her Highness.

Reasons justifying the Queen of *Scots* deposition.

The last of *February* (for albeit the 10. of that moneth they came to *London*) they presented a number of Reasons for justifying the deposition of their Queen, and cited many Lawes both Civill, Canon, and Municipall, which they backt with examples drawn forth of *Scottish* Histories, and with the opinions of divers famous Divines. The Queen of *England* having considered their reasons, was not a little displeased both with the bitter speeches, and with the liberty they had used in depressing the authority of Princes, and thereupon told them, "That she was in no sort satisfied with their reasons, willing them to go unto the second head, and devise what they thought meetest for the safety of their King and themselves. But said, they refusing, that they had no Commission to speak of any thing that might derogate from the Kings authority; and if such a Commission had been given them, they would not have accepted it.

In



In these terms matters continued some days till the Commissioners for the King of Scots suting to be dimitted, were sent for to *Greenwich*, where the Queen had a long speech tending all to declare what a good will she had carried to the young King, and to those that professed his obedience, and wondering they should be so wilful, and not to deliberate of such things as served to their own safety. The Commissioners answering, that they believed the reasons produced would have satisfied her Majesty touching their proceedings, which (as they esteemed) were sufficient to prove, that they had done nothing but according to justice: *Yet I (saith the Queen) am not satisfied neither with your reasons, nor lawes, nor examples; nor am I ignorant of the lawes my self, having spent divers years in the study thereof. If ye your selves will not (saith she) propone any thing for your own sureties, yet I would have you hear what my Council is able to say in that matter, and I hope it shall content you.*

An. 1570.

They answered, that *their respect to her Majesty was greater, then to refuse any good advice which she and her good Council should give them, but that they had no power to consent to any thing that might inferre an alteration of the present state, or diminish the Kings authority.*

The next day the Articles following were given them, and they desired to consider of the same, and set down their Answer in writing.

Articles proposed to the Commissioners of Scotland.

1. That in regard her son had been crowned King by vertue of her dimission, and his Coronation ratified by the three Estates of Parliament, and that since that time a great number of the subjects had professed obedience to him, and his Regents, which was to be interpreted in the best part, as done out of duty, and not out of any ill mind towards their Queen, the obedience so yielded to the King and his Regents, should be allowed from the time of the dimission of the Crown made by her, unto the resumption of the same: And all manner of Acts done since that time in the administration of justice, and for government of the State, should be reputed good and lawful, or at least reviewed, and confirmed in the next Parliament after consideration taken of the same by twelve Lords, whereof six should be named by the Queen and her Commissioners, and the other six by the Commissioners for the Kings part.

2. That all Statutes and Ordinances made concerning matters of Religion, and the Ministers thereof, since the same time, should be observed by all the subjects of Scotland, and no pardon nor dispensation granted in time coming to any person not observing the same, without consent of the said twelve Lords.

3. That all Processes, Sentences, and Judgements given either in causes civil or criminal since the said time, wherein the order of the laws of the Realm had been observed, should remain in force, and only such sentences as had been pronounced either in the name of the King or Queen against any person for not obeying or acknowledging either of their Titles, be rescinded; the sentences alwayes pronounced against the Earl of *Bothwell*, or any others, for the murder of the Queens husband, standing good and valid.

4. That all Ecclesiastical benefices and temporal offices, which have usually continued in the person of any during term of life, should remain with the same persons that held them at the time of the Queens dimission; such excepted, as may be proved to have consented to the murder of her husband, or that have left them upon recompence, and with their own consents: In which cases the present possessors should enjoy the same, unlesse they were incapable, and declared by the twelve Lords to be such.

5. That all strengths, Castles, and houses appertaining to the Crown, should be restored to the possession of those who held them at the time of the Queens dimission, except they had parted therewith upon agreement. In which case the Queen with consent of the said twelve Lords, or the most part of the Council should dispose thereof.

6. That the Jewels, Plate, Moveables, and implements of houses belonging to the Queen at the time of her dimission, should be restored, provided the moneys which any had laid out for the same, were repayed: And for such as had been put away by the direction of the Regents, or Council, that recompence



*An. 1570.* pence should be made by the Queen to the party according to the just value.

7. That a law should be established in Parliament for oblivion and remission of all things done since that time, after the same manner that was done in the year 1563. providing not the lesse, that the Comptroller, Thesaurer, and other receivers of the Crown revenues, should give an accompt to the Queen of all summes of money or other profits which had not been expended *bona fide*, for the affairs of the Realm, or by order and warrant from the Regent, and others trusted with those affairs; Neither should the remission be extended to any that had taken by force any houses, Castles, lands, or heritages belonging to others, but restitution should be made thereof to the party dispossessed, or to his heirs, till the same by order of law be justly determined. In like manner concerning goods moveable taken away from the Owners against their wills, and being yet in their own nature extant, that restitution should be made thereof. And because many doubts might arise upon this Article, the same should be determined by the foresaid twelve Lords, or otherwise as was devised for the execution of the Act made *Anno 1563*.

8. That for the more quiet government of the Realm, there should be appointed a Privy Council, which should consist of twelve Lords spiritual and temporal, besides the other ordinary officers that do usually attend. And that the said Council should be established with the like provisions that were made at the return of the Queen out of *France*, *Anno 1561*. So many as were then Counsellors, and yet alive, being counted of that number; and that the Earl of *Lennox*, because he was most bound by nature to take care of the King, should be one of the Council, and have place therein according to his degree.

9. That for the greater safety of the Kings person, he should be brought into the Realm of *England*, and there governed by such Noblemen of *Scotland*, as depend of him, so as he may be ever ready to be restored to the Crown, if the Queen his Mother break the Covenants agreed betwixt her and the Queen of *England*.

10. That for his entertainment he should not only have the revenues which the Princes of *Scotland* in former times possessed, but also the Rents and Offices belonging sometime to the Earl of *Bothwell*.

11. And last, that a convenient number of Hostages, being all Noblemen, and of those who have adhered to the Queen, and solicited her delivery, should enter in *England* to remain there for assurance of observing the conditions made both to the King of *Scots* and the subjects under his obedience, and to the Queen of *England* for the peace and quiet of her dominions; And that the said Hostages should be entered in *England* before the Queen of *Scots* shall be put to liberty.

These Articles delivered to them were answered the next day, as followeth:

Answer to the  
foresaid Arti-  
cles.

*We have seen and considered the note of the Heads which we received from your Lordships for pacifying the controversies between the Queen our Sovereigns mother, and the King her Son, and his Subjects, touching the Title of the Crown of Scotland, if it be found, that her dimission either was, or may be lawfully revoked by her; And therewithall having diligently perused our Commission and Instructions to know how far we might enter in Treaty upon the same Heads for satisfaction of the Queens Majesty, and your Lordships to whom the hearing of the cause is committed; we find our selves no ways able, nor sufficiently authorised to enter into any treaty or conference touching the King our Sovereign his Crown, the abdication or diminution of the same, or yet the removing of his person from the place where he abideth; For as we confesse our selves his Highnesse subjects, and have all our power and Commission from him, to treat in his name, in matters tending to the maintenance of true Religion, his honour and estate, and for the continuance of amity betwixt the two Realms: So we cannot presume to abuse our Commission in any thing that may prejudice him, wherein we trust your Lordships shall allow and approve us.*

Propositions  
made to the  
Queen of Scots  
Commissioners.

At the same time, and whilst these things were a doing with the Kings Commissioners, some others were appointed to conferre with those of his Mothers party; And to them it was proposed, that for the security of the Queen of *England*, and the Noblemen that followed the King of *Scots*, the Duke of *Chattellerault*, with the Earls of *Huntley*, *Argile*, the Lord *Horne*, and any other Nobleman they pleased to name, should be delivered as pledges, and the Castles of

*Dumbar,*



*Dumbar*, and *Home*, be put in the hands of *English* men, to be kept for three years. The answer they gave, was, that she who of her own motive committed her self to the protection of the *Queen of England*, would most willingly give her satisfaction in all things which conveniently might be done; but to deliver those great men, and the Fortresses required, was no other thing but to spoil and deprive the distressed *Queen* of the succour of her most faithful friends, and the strength of those places; yet if in all other points they did agree, they made offer, that two Earls (one whereof should be of the number nominated) and two Lords should enter as Hostages, and remain in *England* for the space of two years; but for the Holds and Castles, they could not, because of the League with *France*, put them in the hands of *English* men, unlessse others were put also in the hands of the *French*.

The *Queen of England* perceiving that there were on both sides great impediments, sent for the Kings Commissioners, and told them, how she had considered, that the Articles proponed, could not be resolved but in a Parliament, and therefore leaving the Treaty for a time, seeing she understood there was a meeting of the Estates appointed in *May* next, she held it meetest they should return, and in that meeting condescend upon an equal number of both parties, that should have power to compose matters; The Abstinence in the mean time being renewed, in hope that all differences should be taken away, and matters peaceably agreed. This she would cause signify to the Agents of their *Queen*, and doubted not, but they would assent thereto; yet when it was moved unto them, they refused to agree to any delay, till they should know what was her own mind. Hereupon the Kings Commissioners were commanded to stay till her Answer should be returned.

In this time the Bishop of *Galloway* and the Lord *Levingston* trusting to speed better by conference with the Earl of *Morton*, and the rest, sent to desire a meeting of them, which was yielded unto, provided the Bishop of *Ross* came not in their company; for him they would not admit, as being the Kings Rebel. Having met, they talked kindly one to another. But that the *Queen* should be restored to her authority, in no condition (though divers were proponed) could be admitted; which when she heard, and that the *Queen of England* had taken a course to delay things, she grew into a great choler, and inhibited her Commissioners to treat any more. This reported to the *Queen of England*, she sent for the Earl of *Morton* and his Associates, and told him, that their *Queen* took in evil part the motion she had made; And seeing it is so, saith she, *I will not detain you longer, ye shall go home, and if afterwards she be brought to agree to this course, as I hope she shall, I have no doubt but you will for your parts do that which is fitting.* Thus were they dimitted.

Whilest these things were doing in *England*, the factions at home, notwithstanding of the Abstinence, were not idle, but taking their advantage of others. Lord *Claud Hamilton* ejecting the Lord *Semple* his servants forth of the house of *Paßlay*, placed therein a number of souldiers, and by them kept all these parts in in fear; The Regent upon this gathering some forces, besieged the house, and had it rendered to him within a few days. The Souldiers were conveyed to *Edinburgh*, and hanged on the Gallows without the Town. Not long after, upon intelligence that the Castle of *Dunbarton* was negligently kept, and might easily be surpris'd, he sent three companies under the command of Captain *Crawford*, Captain *Home*, and Captain *Ramsay* to give the attempt; Ladders and other necessities for scaling being prepared, they went thither in the night, conducted by a fellow that had served in the house, and as then had quit his service upon a private discontent. A little before day carrying the ladders with the least noise they could make, they placed the same in the most commodious part for ascent, and notwithstanding of sundry difficulties that happened, got up in the end to the top of the Rock: There having a wall of stone likewise to climbe, Captain *Alexander Ramsay* by a ladder which they drew up after them, was the first that entered, and for a short space defended himself against three watchmen that assailed him. *Crawford* and *Home* following quickly with their companies, the watchmen were killed, and the munition seised. The Lord *Fleming*, who commanded the Castle, hearing the tumult,

An. 1570.

The Answer.

The Treaty continued to a more convenient time.

The Bishop of *Galloway* and the Lord *Levingston*, conference with the Earl of *Morton*.*Paßlay* taken by Lord *Claud Hamilton*, and recovered by the Regent.The Castle of *Dunbarton* surpris'd.



An. 1570. tumult, fled to the neather *Balze* (so they call the part by which they descend to the river) and escaped in a little Boat. The souldiers and other servants yielding, were spared, and freely dimitted. Within the Castle were the Archbishop of *S. Andrews*, *Monfieur Veras* the French man, the Lady *Fleming*, *John Fleming* of *Boghall*, *Alexander Levingston*, sonne to the Lord *Levingston*, and *John Hall* an English man, who were all made prisoners. The next morning the Regent came thither, (for he was lying at *Glasgow*) and using the Lady honourably, suffered her to depart with her plate, jewels, and all that appertained either to her or to her husband. *Veras* was sent to be kept at *S. Andrews*, and permitted afterwards to depart. The English man *Hall* was delivered to the Marshal of *Berwick*. *Boghall* and the Lord *Levingstons* son were detained. The Archbishop was sent to *Striveling*, and the first of *April* publickly hanged on a gibbet, erected to that purpose.

The Archbi-  
shop of *S. An-  
drews* execu-  
ted.

His Declarati-  
on at his death.

This was the first Bishop that suffered by form of Justice in this Kingdome, a man he was of great action, wise and not unlearned, but in life somewhat dissolute. His death, especially for the manner of it, did greatly incense his friends, and disliked of divers, who wished a greater respect to have been carried to his age and place. But the suspicion of his guiltinesse in the murders of the King and Regent, made him of the common sort lesse regrated. It is said, that being questioned of the Regents murther, he answered, *That he might have stayed the same, and was sorry he did it not.* But when he was charged with the Kings death, he denied the same. Yet a Priest called *Thomas Robinson* that was brought before him, affirmed that one *John Hamilton* (commonly called *Black John*) had confessed to him on his death-bed, that he was present by his direction at the murther. Whereunto he replied, *That being a Priest, he ought not to reveale Confessions; and that no mans Confession could make him guilty.* But for none of those points was he condemned, nor the ordinary form of Trial used, though he did earnestly request the same; Only upon the forfeiture laid against him in Parliament, he was put to death, and the execution hastened, lest the Queen of *England* should have interceded for his life.

They who  
stood for the  
Queen, take  
Arms and  
come to *Edin-  
burgh*.

They who stood for the Queen, upon advertisement that the Treatie was dissolved, and that she had recalled the Bishop of *Galloway*, and the Lord *Levingston*, did presently take Armes. The Laird of *Grange* to keep the Town of *Edinburgh* under command, did plant in the steeple of *S. Giles* some souldiers, and transport all the Armour and Munition which was kept in the Town-house to the Castle; After a few days the Duke of *Chattellerault*, came thither, with the Earls of *Argile* and *Huntley*, the Lords *Hereis*, *Boyd* and divers others, to stay the holding of the Parliament, which had been adjourned to the fourteenth of *May*. At their coming they compelled the Clerks and Keepers of the Register to deliver the books of Council and Parliament, and seised on every thing, which they thought might hinder the States to convene. The Ministers were commanded in their publick prayers to make mention of the Queen their Sovereign Princeesse; which they refused. *John Knox* withdrew himself, and retired to *S. Andrews*, *Alexander* Bishop of *Galloway* preaching in his place.

The Regent  
resolveth to  
hold the Parli-  
ament.

The Regent on the other side with the Nobility that adhered to the King, came into *Leth* with a resolution to hold the Parliament, whatsoever should follow; and because it would be a difficil work to recover the town, conclusion was taken to keep the Parliament in that part of the Canon gate which is subject to the townes jurisdiction: the Lawyers having resolved, that in what part soever of the towne the Estates should convene, their meeting would be found lawful. Thus on Munday the fourteenth of *May*, which was the Diet appointed, the Parliament according to the custome was fenced in a house without the gates, yet within the liberties of the town. The Saterdag preceding the Regent had by advice of the Council sent some men of warre to possesse that part of the town, who were assisted by certain Noblemen voluntiers that joyned in the service. And notwithstanding the continual playing of the Ordinance upon that part from the Castle, both that day and all the time the Parliament sate, not a man (a thing most strange) of the Regents side was either hurt



hurt or killed, there were cited to the Parliament young *Lethington*, his brother Mr. *John Maitland*, Prior of *Coldingham*, *Gawan Hamilton*, Abbot of *Kilwinning*, with his eldest son, and a base son of the late Archbishop of *S. Andrews*, who were all declared culpable of treason. Young *Lethington* because of his foreknowledge and counsel given to King *Henry* his murder, the rest for their rebellion against the King and his Regents. As in such a troubled time the Parliament was very frequent, for of the Nobility were present, the Earls of *Morton*, *Marre*, *Glencarn*, *Cranford*, (who some moneths before had forsaken the Queens faction, and submitted himself to the King) *Buchan* and *Menteith*, the Lord *Keith* and *Graham*, as proxies for their Fathers; the Earls of *Marshall* and *Montrose*, with the Lords *Lindsay*, *Ruthven*, *Glamis*, *Zeister*, *Methuen*, *Ochiltree*, *Cathcart*, two Bishops, nine Abbots and Priors, with twenty Commissioners of Burghs. The forfeiture pronounced, the Estates took counsel to dissolve, because the danger was great, and prorogued the Parliament to the third of *August*, appointing the same to meet at *Striveling*.

An. 1571.

Persons forfeited in this Parliament.

A new Civil warre did then break up, which kept the Realm in trouble the space of two years very nigh, and was exherced with great enmity on all sides. You should have seen fathers against their sons, sons against their fathers, brother fighting against brother, nigh kinsmen and others allied together, as enemies seeking one the destruction of another. Every man as his affection led him, joyned to the one or other party, one professing to be the Kings men, another the Queens. The very young ones scarce taught to speak had these words in their mouthes, and were sometimes observed to divide and have their childish conflicts in that quarrel. But the condition of *Edinburgh* was of all parts of the countrey the most distressed, they that were of quiet disposition and greatest substance, being forced to forsake their houses; which were partly by the souldiers, partly by other necessitous people, (who made their profit of the present calamities) rifled and abused. The nineteenth day of *May* the Regent and other Noblemen leaving the Canon gate, went to *Leth*, and the next day in the afternoon took their journey towards *Striveling*, where the ordinary Judges of Session were commanded to sit for ministring justice to the Leiges. As they were taking horse, the forces within *Edinburgh* issued forth making shew to fight, yet still they kept themselves under guard of the Castle. The Earl of *Morton* parting from the Regent at *Corstorphin*, had the foot souldiers left with him to withstand the enemy, if he should make any suddain attempt. Nor did there many days passe when the Earl of *Huntley*, and Lord *Claud Hamilton* with their forces enterprised the burning of *Balkeith*. *Morton* who remained there, being forewarned of their coming, took the fields, and entertained a long fight with them, though in number he was far inferior; divers on either side were killed, 25. of the Earl of *Mortons* men taken prisoners, and of the adverse party Captain *Hackerston*. Neither had the conflict ended so soon, if they had not been separated by an accident that happened in the time. The Earl of *Huntley* and Lord *Claud* had carried with them a great quantity of powder, wherewith the souldiers striving to furnish themselves, and one of the matches falling amongst the powder, it took fire, and with a terrible noise overthrew all that stood by, Captain *James Melvil* and a number of his company were thereby killed in the place, many died a few days after of the hurt they received at that time.

The civil war renewed.

The Regent goeth to Striveling.

A conflict betwixt Morton and the Lords at Edinburgh.

The Earl of *Morton* by this invasion being taught to look unto himself, did hire a band of souldiers, that was lately come from *Denmark*, under the command of Captain *Michael Weymes*, or as others write, Captain *David Weymes*. The Lords that remained at *Edinburgh* thinking to intercept him and his company, as he crossed the river of *Forth*, employed Mr. *James Kircaldy*, brother to the Lord of *Grange*, (who a few days before was come from *France* with a supply of money and Arms) and Capt. *Cullen* a man well skilled in sea affairs, to lie in wait for their landing. But the purpose being detected to the Earl of *Morton*, he came upon them at *Leth* as they were taking Boat, so unexpected, as 16. of the number were taken prisoners, which served to redeem certain of Captain *Weymes* company, that were the next day taken

The Earl of Morton hireth souldiers.



An. 1571. at sea, for he himself with the greatest part arrived safely at *Lesh*.

The Queen of England sendeth to Sir William Drury, to try the estate of things.

The Regent having advertised the Queen of England of those troubles, and by the common danger of both the Realms, intreated that she should no longer remain a neuter, she sent Sir William Drury Marshal of *Berwick* to try the estate of things, the power that the Regent had, and the means whereby the Castle of *Edinburgh* might be recovered; and perceiving by the information returned, that without her assistance neither could that strength be regained, nor the waged souldiers be kept long together; because as yet she held it not fit to declare her self for the King, she began of new to treat with both parties for a surceasance of arms, and that the town of *Edinburgh* might be freed of the souldiers, & left patent for the Court of Justice, the Captain of the Castle having in the mean time a convenient revenue (for guarding the house) allowed unto him. But this turned to no effect, for the conditions for the surceasance required, could not be agreed unto by either side, for the Regent would have the town of *Edinburgh* put in the estate, wherein it was at the going of the Commissioners to the Court of England in *January* preceeding and *Grange* to content himself with such an ordinary garrison as other Keepers of the Castle were accustomed to entertain. The other faction was content to leave the town patent, but so, that neither the Regent, nor the Earl of *Morton* should come unto it: And for the surety of the Castle, they would have *Grange* to retain 150. souldiers, besides the ordinary guard, who should lodge in that part of the town, which was nearest unto the same.

The Lords on the Queens party hold a Parliament at *Edinburgh*.

A supplication presented in name of the Queen.

The conditions of either side rejected, they of *Edinburgh* not to be wanting of the authority of a Parliament, kept a publick meeting in the town-house the twelfth day of *June* (to which day they had indicted a Parliament) where a supplication was presented in name of the Queen bearing, "That it was not unknown how certain of her rebellious subjects having imprisoned her person in the Tower of *Lochlevin*, did hereafter constrain her to make a dimission of the Crown in favours of her son, which by the advice of Mr. *John Spence* of *Condy* her Advocate she had lawfully revoked; albeit otherwise the same could not subsist, being done without the consent and advice of the Estates, and upon a narrative of her inability and weakness, which any of mean judgement may consider to be a meer forgery, seeing her weaknesse to govern cannot be esteemed so great, as is the weaknesse of an infant lying in the cradle, neither can he who hath the present administration of affairs, compare with her in any for aptness and ability to govern. Therefore was it desired that the Nobility and Estates there convened, after they had examined the grounds of the said dimission, and found them in reason naught, should discern the same to be null in all time coming.

The Queens resignation of the Crown discerned null.

The supplication once or twice read, as the custom, it was pronounced as followeth, *The Lords Spiritual and Temporal, with the Commissioners of Burghs presently assembled, being ripely advised with the supplication presented, have by authority of Parliament ordained the said pretended dimission, renunciation, and overgiving of the Crown by the Queen, consequently the Coronation of her son, the usurped government of his Regents, and all that hath followed thereupon, to have been from the beginning null and of no force nor effect, for the reasons contained in the said supplication, and other considerations notour, to the whole Estates. And therefore commands all the subjects to acknowledge the Queen for their only Sovereign, notwithstanding the said dimission, and as it had never been in rerum naturâ. Herewith to conciliate the favour of the Church and people, by another statute they ordained, That none should innovate, alter or pervert the forme of Religion, and ministrations of Sacraments, presently professed and established within the Realm; but that the same should have free course, without any let or impediment to be made thereto. And therewithall the Superintendents, Ministers, Exhorters, and Readers in Churches, were commanded in their publick service to pray for the Queen as their only Sovereign, the Prince her son, the Councel, Nobility, and whole body of the Commonwealth. These statutes they caused to be proclaimed at the Market Crosse the day following, which was the 13<sup>th</sup>. of *June*.*

Sir William Drury finding his labours unprofitable, and preparing to depart, the Lords of *Edinburgh* would needs of courtesie bring him on the way. The Earl of



*Morton* who lay then at *Leth* pained with a Colick, hearing that they were in the fields, and taking it to be done for ostentation of their power: arose from his bed, and putting his men in order, marched to *Restalrig*, which way they were to passe. Sir *William Drury* perceiving the companies of *Leth* in the way, and sorry that his Convoy should have given the occasion, travelled between them, and by his perswasions made them both to retire. But then the question fell, who should first retire, and for this Sir *William* proponed that he should stand between the companies, and upon a sign to be given by him, both should turn at one instant. The Earl of *Morton* accepted the condition, lest he should offend the Gentleman who had taken such pains amongst them; the others refused, giving forth great brags, that they should make them leave the fields with shame, if they did it not willingly: How soon *Morton* was advertised of the difficulty they made, he cried aloud, *On, on, we shall see who keeps the fields last*, and therewith gave so hard a charge upon them, as they disordered both the horse and foot. The Chase held towards the Watergate, where by reason of the skant and narrow passage many were killed and trod to death, but the number of prisoners were greater, for there were 150. taken, amongst whom were the Lord *Home*, and Capt. *James Cullen*, the Abbot of *Kilwinning* was killed, a Gentleman of good worth, and greatly lamented; for he was of all that faction esteemed most moderate. There died some 50. in all, most of them common souldiers, and of mean accompt. On *Mortons* side Captain *Weymis* with one only souldier was slain. This conflict happened on Saturday the 28. of June, 1571.

Advertisement hereof sent to the Regent, he came the next day to *Leth*, where first order was taken with the prisoners, and the Lord *Home* sent to *Tantallan*. But he stayed not long there, for the Lord of *Dramlanrig* being intercepted by Sir *David Spence* of *Wormston*, as he was making homewards, an exchange was made of the Lord *Home* with him. Captain *Cullen*, a man infamous, and who in the last wars had used great cruelty, was hanged on a Gibbet. The rest upon promise not to serve against the King were dimitted. Resolution then was taken for the Regents abode at *Leth*, and the countreys attendance upon him by quarters, to keep the adversaries busied, and hinder the victualling of the town. During which time, no day passed without one conflict or other, wherein sometimes the Regent, and sometimes the Queens party had the better; at this time upon a report carried to the Laird of *Grange*, that he was commonly called by those of *Leth*, the *Traytor*, he sent a Trumpet to appeal any one of their side to combat, that should dare to affirm so much. The Laird of *Garleys* offering to maintain it, time and place were appointed for the fight, and when all were expecting the issue of it, *Grange* excused himself by the publick charge he bare, saying, *that it was not thought convenient he should hazard the cause in his own person*.

Notwithstanding of this great heat amongst the parties, the Queen of *England* ceased not to mediate an accord, and by a letter to the Marshal dated the 19<sup>th</sup>. of July, willed him to move them of new for an abstinence, offering to send persons of authority and credit to the borders, who should travel to agree them, and remove all differences as well concerning the title of the Crown, as other private matters; and because it was given her to understand, that both parties had indicted Parliaments to *August* next, she desired that no proceeding should be made therein; either by making of lawes, or by denouncing any persons forfeited, and that only they should authorize certain persons to meet with her Commissioners for consulting upon the best means to conclude a solid peace. There was also a letter of safe conduct sent for any one, that *Grange* would direct unto *England* (for this he had desired) *Leithington* excepted, and those that were suspected of the late Kings murder. But whether this exception gave the cause, or the daily encouragements sent by the *French*, none was directed thither.

The Regent by his answer of the 27. excused the not yielding to the abstinence, which he said, *without evident prejudice to the Kings cause, could not be granted so long as Edinburgh was detained*. For other points he answered, *That by himself, without the consent of the Nobility and Estates he could say nothing, but at their meeting in August, her Majesty should receive all reasonable satisfaction*. The adversary party is the

An. 1571.

A conflict betwixt the Earl of *Morton* and the Lords at *Edinburgh*.

The Lord *Home* taken prisoner.

The Regent returneth to *Leth*.

The combat offered by *Grange* is accepted, and thereafter by himself declined.

The Queen of *England* insisteth for peace.

The Regent excuseth his refuse of the Abstinence.



An. 1571.

A Parliament  
kept at *Edin-  
burgh* by the  
Lords.

The Regent  
kept a Parlia-  
ment at *Strive-  
ling*.

Persons for-  
feited in the  
Parliament.

An enterprize  
of the Lord  
*Claude Hamilton*.

the mean time, nothing relenting of their course, did keep a form of Parliament at *Edinburgh* the 22. August, and though they were but five persons in all present, that had any voice in the State, to wit, two Bishops and three Noblemen, they pronounced above 200. persons forfeited. The Regent advertising the Queen of *England* how they had proceeded, and what disorder did shew the necessity whereunto they that lived in the Kings obedience were brought, and how it concerned him, and the rest to prosecute what they had justly intended, in regard of their enemies precipitation. So in the Parliament kept at *Striveling* the 28. of the same moneth, sentence of forfeiture was pronounced against the Duke of *Chattellerault* and his two sons, the Abbot of *Aberbrothock*, and Lord *Claude*, the Earl of *Huntley*, the Laird of *Orange*, and some others. And for satisfying the Queen of *Englands* desire, the Earl of *Morton*, *Marre*, and *Glencarn*, the Lords *Simple*, *Ruthven*, and *Glamis*, with the Bishop of *Orkney*, the Abbots of *Dunfermlin*, and *S. Colmes Inche*, Sir *John Ballendine* Justice Clerk, and Mr. *James*, Mr. *Gill* Clerk of Register were nominated by the Estates, and Commission given, or to any four, three, or two of that number to treat with such as the Queen of *England* should appoint upon the differences arisen amongst the subjects by occasion of the late troubles, and for contracting a League offensive and defensive betwixt the two Realms. Of all that did the Regent give notice to the Queen, beseeching her not to presse them with any thing that might seem to call the Kings authority in question. But before these letters came to her hands, he was killed as ye shall hear.

Lord *Claude Hamilton* having intelligence given him of the security wherein the Regent and Nobility lived at *Striveling*, and how as in a time of settled peace, they did not so much as keep a watch by night, took resolution to invade them, and was therein greatly encouraged by Cap. *George Bell* (a man born in *Striveling*, & one that knew all the passages & streets) who made offer to put him & the company he should bring with him safely in the town. This he communicated to the Earl of *Huntley*, *Walter Scot* of *Baclegugh*, and *David Spence* of *Wormeston*, who were all content to joyn in the enterprize. The second of *September*, they went from *Edinburgh* a little before Sun-setting, accompanied with 200. horse and 300. foot, and lest their journey should be suspected they made the rumour go, that they went towards *Jedburgh*, to compose a discord fallen out betwixt the town and the Laird of *Fernherst*. To ease the footmen they had taken all the horses which came the day before to the Market, and as many as they could otherwise purchase by the way, and so marching with a wonderful confidence (for by the way all their discourse was, whom they would kill, and whom they would save) they came about the dawning of the day to the town, & found all things so quiet, as not a dog was heard to open his mouth & bark: whereupon having planted the souldiers in the most commodious parts of the town, & enjoined them to suffer no person to come unto the street, they went to the Noblemens lodgings, which were designed unto them, and found there little or no resistance. The Earl of *Morton* defended the lodging wherein he was some little time, but fire being put to the house he rendered to the Laird of *Baclegugh*. The Regent was taken with lesse ado, his servants making no defence. In like sort were the Earls of *Glencarn* and *Eglinton* made prisoners with divers others. The Earl of *Marre* hearing the noyse, issued forth of the Castle with 16. persons only, and entering the back of his new lodging which was not then finished, played with Muskets upon the street, so as he forced them to quit the same. The townesmen and others upon this taking courage, gathered together, and put the enemy to flight, pursuing them so hotly, as they were constrained to quit their prisoners, and some to render themselves to those they were leading captive. The Regent who was *Wormestons* prisoner (for to him he had rendered) being carried a little without the Port, when they saw the rescue coming, was shot by Captain *Calder*, and with the same bullet *Wormeston* (who did what he could to save the Regent) was stricken dead.

The number  
of the slain on  
both sides.

The death of this Gentleman was much regrated of both factions, for that he was for manly courage, and other vertues as well of body as mind, inferiour to none of his time. There fell at this time on the Regents side some 24. amongst whom the most eminent were *George Ruthven*, brother to the Lord *Ruthven*, and

*Alexander*



*Alexander Stewart of Garleis.* Of the other side, as many were slain, and divers taken prisoners; amongst whom were the two Captains *Bell* and *Cawder*, who were executed as Traytors. The Lord *Claud* with the Earl of *Huntley*, and the rest escaped, and had all been taken; if there had been horses to pursue them; But the Borderers that followed *Bacleugh*, men accustomed with such practises, had emptied the stables at the first entry into the town. It was certainly a bold enterprise, whereof we will not find many the like in story. So few men leaving their strength to take so long a journey, and enter upon a town full of enemies (for there were in it 500. able and resolute men at least, besides the inhabitants) was a great audaciousness; and then to get in their hands the chief of their adversaries, whereby they were once in a possibility to have returned absolute victors; yea when the course altered, to have saved themselves with so little losse, which held strange, and made the enterprise to be counted no lesse fortunate, then it was bold and venturous.

It was also observed, and is worth the reporting, that the young King who was brought from the Castle to the Parliament house at their first sitting, after a short speech w<sup>ch</sup> they had put in his mouth, espying in the table-cloth, or as others have said, in the top of the house, a little hole, cried out, that *there was a hole in the Parliament*. An ominous speech, and so interpreted by some that were present, which the event made the more remarkable; for before the Parliament was at an end, a great hole was made in it, by the death of him that began the same. The Regent though the wound was mortal, did not light from his horse till he came to the Castle. By the way when his friends did incourage him, he still answered, *If the babe be well* (meaning the King) *all is well*; and being laid in bed and his wound dressed, after they had told him that his bowels were cut, calling the Nobility he spake unto them a few words to this effect.

An ominous  
speech of the  
King, being  
yet a child.

*I am now my Lords to leave you, at God his good pleasure, and to go into a world where is rest and peace. Ye know it was not my ambition, but your choice that brought me to the charge I have this while sustained, which I undertook the more willingly, that I was persuaded of your assistance in the defence of the infant King, whose protection by nature and duty I could not refuse. And now being able to do no more, I must commend him to the Almighty God, and to your care, intreating you to continue in the defence of his cause, (wherein I do assure you in Gods name of the victory) and make choice of some worthy person, fearing God and affectionate to the King, to succeed unto my place. And I must likewise commend unto your favour my servants, who never have received benefit at my hands, and desire you to remember my love to my wife Meg, (so he was accustomed to call her) whom I beseech God to comfort.* This said, he took leave of them all one by one, requesting them to assist him with their prayers, in which he himself continued some houres, and so most devoutly ended his life. A man he was of noble qualities, tried with both fortunes, and if he had injoyed a longer and more peaceable time, he had doubtlesse made the Kingdom happy by his government.

The Regents  
speech to the  
Nobility.

It is time that we return to the Church, and consider what the estate thereof was amidst the civil dissensions. In the countreys where the Queens faction ruled the Ministers in their prayers did always recommend the Queen as Sovereign, serving the affection of those that commanded in the bounds, albeit the assembly of the Church had otherwise appointed. *John Knox*, as we shewed, had left the town of *Edinburgh*, and was gone to *S. Andrews*, where he had strong opposition made him by Mr. *Archibald*, and Mr. *John Hamiltons* professors of Philosophy in the new Colledge, who stood fast to the Queens cause and drew many of the Students after them. This, together with the grief he conceived of the present troubles, did cast him in a sickness, whereof he never perfectly recovered. And at this time hearing that the Assembly of the Church was met at *Striveling*, he sent unto them a letter, which I thought worthy to be here insert; it was, as followeth. *Because the daily decay of natural strength doth threaten me with a certain and suddain departing from the misery of this life, I exhort you brethren, yea in the fear of God I charge you to take heed to your selves, and the flock over which God hath placed you Ministers. What your behaviour should be, I am not now, nor have I need, as I think, to ex-*

An Assembly  
of the Church  
at Striveling.

*John Knox* his  
letter to the  
Assembly.



*An. 1571.* *preſſe, but to charge you to be faithſul, I dare not forget. And unfaithſul ye ſhall be counted before the Lord Jeſus, if with your conſent, directly or indirectly, you ſuffer unworthy men to be thruſt into the miniſtery of the Church, under whatſoever pretext. Remember the Judge before whom we muſt give account, and flee this as ye would eſchew hell fire. This will be a hard battel I grant, but there is a ſecond will be harder, that is, to withſtand the mercileſſe devourers of the Church patrimony. If men will ſpoil, let them do it to their own peril and condemnation, but communicate not ye with their ſinnes, of what eſtate ſoever they be, neither by conſent nor ſilence, but with publick proteſtation make known to the world that ye are innocent of ſuch robbery, and that ye will ſeek redreſſe thereof at the hands of God and man. God give you wiſdom, ſtrength and courage in ſo good a cauſe, and me an happy end. From S. Andrews the thirteenth of Auguſt, 1571.*

A conſultation  
for ſetting the  
policy of the  
Church.

The power of  
the Superin-  
tendents.

Commiſſio-  
ners named  
to deal with the  
Regent and  
Eſtate.

The Earl of  
Marre elected  
Regent.

In this meeting the Churchmen began to think ſomewhat more ſeriously of the policy of the Church then before: for the firſt draught being neither liked univerſally among themſelves, nor approved by the Councel, they ſaw it needful to agree upon a certain form of government, that might continue. Unto this time the Church had been governed by *Superintendents* and *Commiſſioners* of countreys, as they were then named. The *Commiſſioners* were alterable, and were either changed, or had their *Commiſſions* renewed in every Aſſembly. The *Superintendents* held their office during life, and their power was Episcopall, for they did elect and ordain Miniſters, they preſided in Synods, and directed all Church censure, neither was any excommunication pronounced without their warrant. They aſſigned the ſtipends of Miniſters, directing the Collectors (who were then choſen by the General Aſſembly) to diſtribute the thirds of Benefices amongſt them, as they thought convenient. If any ſurpluſage was found in the accounts, the ſame was given by their appointment to the ſupply of the publick ſtate; and in ſuch reſpect were they with all men, as notwithstanding the diſſenſions that were in the countrey, no exception was taken at their proceedings by any of the parties, but all concurred to the maintenance of Religion, and in the treaties of peace made, that was ever one of the Articles: Such a reverence was in thoſe times carried to the Church, the very form of government purchaſing them reſpect. But the Church conſidering that things could not long continue in that eſtate, the Superintendents being grown in years, and moſt of them ſerving upon their own charges, which burthen it was not to be hoped, others when they were gone would undergo, thought meet to intercede with the Regent and Eſtates, for eſtabliſhing a ſure and conſtant order in providing men to thoſe places, when they ſhould fall void, and ſetting a competent moyen for their entertainment. To this effect Commiſſion was given to the Superintendents of *Lothian*, *Fife*, and *Angus*, and with them were joyned Mr. *David Lindeſay*, Mr. *Andrew Hay*, Mr. *John Row*, and Mr. *George Hay*. Theſe were appointed to attend the Parliament, and deal with the Regent and Eſtates, that ſome courſe might be taken in that buſineſſe. But the Regents death, and the troubles which thereupon iſſued, made all to be continued for that time.

The Regents funerals performed with ſuch ſolemnity as the time would ſuffer, and his corps interred in the Chappel of the Caſtle of *Striveling*, the next care was for uſing a Governour in his place. *Archibald* Earl of *Argile*, (who was then returned to the Kings obedience) *James* Earl of *Morton*, and *John* Earl of *Marre* being put in lites, the voices went with the Earl of *Marre*. The fifth of *September* the election was made, after which the Parliament went on; wherein beſides the confirmation of the Regencie, certain other Acts paſſed in favours of thoſe that ſhould happen to be ſlain in defence of the King his authority. And the Regent bending all his thoughts to the beſieging of *Edinburgh*, brought an Army thither about the miſt of *October*, with nine pieces of Artillery taken forth of the Caſtle of *Striveling*. Having battered the walls of the town on the South-side, but to ſmall purpoſe, becauſe of the Rampiers and ditches which the defendants had caſt up within; he retired himſelf and his Army to *Leth*. The reſt of the winter was ſpent in light skirmiſhes, wherein none of the parties did ſuffer any great loſſe. They in *Edinburgh* had the advantage; for the Caſtle being ſituated in an high place, and

having



having a long prospect into all the parts about, gave them warning by a certain sign when their enemies did issue forth, so as seldom they came to handy stroakes: once only it happened that in an Ambush laid by them of *Leth*, two Captains, *Hackerton* and *Michel*, who served the Lords in *Edinburgh*, with 60. of their companies were taken prisoners. This made them of *Edinburgh* more circumspect in their outgoing ever after that time.

An. 1571.



In the North parts *Adam Gordon* (who was Deputy for his brother the Earl of *Huntley*) did keep a great stirre, and under colour of the Queens authority committed divers oppressions, especially upon the *Forbeses*. *Arthur Forbes* brother to the Lord *Forbes* (commonly called *Black Arthur*) a man both of wisdom and courage, had from the beginning of the civil warres, allways allowed the Kings party, and was at that time labouring to pacifie quarrels amongst those of his name, (for they were striving one with another) that they might be the more able to withstand their enemies. In end he prevailed so far, as he brought his friends to condescend upon a time and place of meeting, for taking up their controversies, and building them together in a sure friendship. *Adam Gordon* smelling his purpose, and fearing the consequence of it, used many policies to keep them still divided: but when he perceived the meeting would keep, he resolved to come unto the place, and one way or other to impede the agreement. At his coming he found them treating upon matters, and standing in two companies a good space one from another, and as if he had been ignorant of the purpose, sent to enquire wherefore they made such Convocations. They answered, that they were doing some private affairs, wherein he had no interese. And being commanded to separate and return to their houses, they refused: whereupon he invaded them, and falling on that part where *Arthur Forbes* stood, in the very joyning killed him. The rest seeing him fall, took the flight, and in the chase many were slain; they reckon 120. to have died at that time. Not long after he sent to summon the house of *Tavoy* pertaining to *Alexander Forbes*. The Lady refusing to yield without direction from her husband, he put fire unto it, and burnt her therein with children and servants, being 27. persons in all. This inhumane and barbarous cruelty made his name odious, and stayned all his former doings; otherwise he was held both active and fortunate in his enterprises.

*Adam Gordon*  
deputy for  
*Huntley* in the  
North.

A conflict be-  
twixt *Adam*  
*Gordon* and  
the *Forbeses*.

The Lord *Forbes* having escaped in the conflict came to the Regent, and complained for a present supply: he had granted to him 200 footmen under the conduct of two Captains, *Chisholm* and *wedderburn*, with letters to the Noblemen of the countrey that lay adjacent, to assist. *Forbes*, gathering his friends, and thinking himself strong enough with the supply he had obtained, made out to search and pursue his enemies. *Adam Gordon* lay then at *Aberdene*, and being advertised that the *Forbeses* were drawing near to the City, he went forth to meet them. The encounter at the beginning was sharp and furious; but the *Forbeses* were young men for the greatest part, of small experience, and not under command; and the soldiers not being well seconded by them, after they had fought a while, gave over and yielded. The slaughter was not great, for the conflict happened in the evening, which helpt many to escape: Captain *Chisholm* with most of his company, and some 15. of the name of *Forbes* were killed; the Master of *Forbes* and some others were taken prisoners.

A supply granted by the Regent to the Lord *Forbes*.

Another conflict betwixt the *Gordons* and *Forbeses*.

This good successe of the Queens party in the North, gave hearts to all the faction, and now they began every where to take new courage. In the South the Lairds of *Fernherst* and *Baclenagh* did assail *ledburgh*, a little town, but very constant in maintaining the Kings authority. Lord *Claud Hamilton* belyed *Paflay*. The Castle of *Broughtie* on the river of *Tay* was surprisid by ..... *Seaton* of *Perbroath*, and in divers other parts troubles were raised of purpose to divide the Regents forces, and to withdraw him from *Leth*, that the town of *Edinburgh* which was then in some scarcity of victuals, might be relieved.

In the moneth of *January* an assembly of the Church convened at *Leth*, where after great instance made with the Regent and Council, for settling the policy of the Church, it was agreed that six of the Council, and as many of the Assembly

An Assembly of the Church at *Leth*.



An. 1572.

Commissioners  
named for the  
Council and  
Church.

sembly should be selected to treat, reason, and conclude upon that businesse. For the Councel *James Earl of Morton* Chancellour, *William Lord Ruthven* Treasurer, *Robert Abbot of Dunfermlin* Secretary, *Mr. James Macgill* Keeper of the Rolls, *Sir John Bellenden* Justice Clerk, and *Colin Campbel of Glenorchy* were named; and for the Church, *John Ereskin of Dun* Superintendent of *Angus*, *Mr. John Winraine* Superintendent of *Fife*, *Mr. Andrew Hay* Commissioner of *Claddisdale*, *Mr. David Lindesay* Commissioner of the West, *Mr. Robert Pont* Commissioner of *Orkney*, and *Mr. John Craig* one of the Ministers of *Edinburgh*. These twelve convening after divers meetings, and long deliberation, grew to the conclusions following.

Articles agreed  
unto by the  
Council and  
Church.

1. That the Archbishopricks and Bishopricks presently void, should be disposed to the most qualified of the Ministry.
2. That the spiritual jurisdiction should be exerced by the Bishops in their Dioces.
3. That all Abbots, Priors, and other inferiour Prelates, who should happen to be presented to Benefices, should be tried by the Bishop or Superintendent of the bounds concerning their qualification and aptnesse to give voice for the Church in Parliament, and upon their collation be admitted to the Benefice, and not otherwise.
4. That so the Bishopricks presently void, or that should happen hereafter to fall, the King and the Regent should recommend fit and qualified persons, and their elections to be made by the Chapters of the Cathedral Churches. And forasmuch as divers of the Chapters Churches were possessed by men, provided before his Majesties Coronation, who bare no office in the Church, a particular nomination should be made of Ministers in every Dioces, to supply their rooms untill the Benefices should fall void.
5. That all Benefices of Cure under Prelacies, should be disposed to actual Ministers, and to no others.
6. That the Ministers should receive Ordination from the Bishop of the Dioces, and where no Bishop was as yet placed, from the Superintendent of the bounds.
7. That the Bishops and Superintendents at the Ordination of Ministers should exact of them an oath for acknowledging his Majesties authority, and for obedience to their Ordinary in all things lawful, according to the form then condescended.

Order also was taken for disposing of Provestries, Colledge charges, and Chaplanries, and divers other particulars most profitable for the Church, as in the records extant may be seen, which were all ordained to stand in force untill the Kings majority, or till the Estates of the Realm should otherwise appoint.

An. 1572.

An Assembly  
of the Church  
at Perth.

In August thereafter, the Assembly of the Church meeting again at *Perth*, report was made of these conclusions, and exception taken by some at the titles of *Archbishop*, *Dean*, *Archdeacon*, *Chancellor*, and *Chapter*, as being Popish and offensive to the ears of good Christians; whereupon it was declared, that by using these titles they meant not to allow of Popish superstition in any sort, wishing the same to be changed in others not so scandalous. As the name of *Bishop* to be hereafter used for *Archbishop*, the *Chapter* to be called *The Bishops assembly*, the *Dean* to be called *The Moderator of the said assembly*; And for the titles of *Archdeacon*, *Chancellor*, *Abbot*, and *Prior*, that some should be appointed to consider how farre these functions did extend, and give their opinion for the interchange thereof with others more agreeable to the Word, and the policy of the best reformed Churches, reporting their opinions at the next Assembly. But I do not find that any such report was made; like it is the wiser sort esteemed there was no cause to stumble at titles, where the office was thought necessary and lawful. A protestation always was made, that they received these Articles for an interim, till a more perfect order might be obtained at the King his Regent, and the Nobilities hands. According to these conclusions *Mr. John Douglas* Provost of the New Colledge of *S. Andrews*, was provided



provided to the Archbishoprick of that See, Mr. *James Boyd* to the Archbishoprick of *Glasgow*, Mr. *James Paton* to the Bishoprick of *Dunkeld*, and Mr. *Andrew Ghrame* to the Bishoprick of *Dumblane*. An. 1572.

About the end of *January*, the Regent advertised of the peril wherein the town of *Fedburgh* stood, and of the great preparation, that *Fernherst* and *Baclough* made to surprize it, (for they had besides their own forces drawn all the people of *Esk*, *Ewis*, and *Liddesdale*, to joyn with them in hope of spoil, and from the *English Borders*, divers that were given to robbery to the number of 3000. and above) sent the Lord *Ruthven* with some forces to defend them. Before his coming, *Walter Ker* of *Cesford* a man of good worth, who had ever assisted the Kings party, was joyned with them. Their enemies notwithstanding esteeming themselves strong enough by reason of their numbers, went forwards with an assurance of victory. The Lord *Ruthven* having notice given him by the way of their diet, and the time they had appointed to invade the town, did use the more speed, and came in sight thereof just as the enemies appeared. They fearing to be inclosed betwixt the town, (who shewed themselves in the fields ready to fight) and the forces the Lord *Ruthven* brought with him, did presently retire and give back. *Fernherst* and *Baclough* went to *Hawick*, and were followed the next day by the Lord *Ruthven*, who came upon them so unlooked for, as they were cast into a great fear. The principals that had horses fled away, the rest betook them to a little bush of wood, where being environed on all sides, they yielded at discretion: the prisoners were many, of whom some few were retained as pledges, and the rest dimitted upon promise to enter themselves at a certain day. The rest of the winter and all the next spring was spent in light skirmishes, with small losse on either side, for they of the Queens faction did seldom come to the open fields, or if they shewed themselves at any time, upon the first onset, they took the flight, and retired to the town.

The Lord *Ruthven* sent to assist the town of *Fedburgh*.

Whilest matters did thus proceed in the Queen of *Scots* quarrel at home, the Bishop of *Ross* in *England* renewed the purpose of marriage with the Duke of *Norfolk*, and practised with divers for setting the Queen at liberty. This being discovered, the Duke was committed to the Tower of *London*, and being arraigned at *Westminster Hall* the 16. of *January* was convicted of Treason and condemned to die, yet was the execution delayed to the *June* after. The Bishop of *Ross* called also in question, defended himself by the priviledges of his Ambassage, saying, *That he had done nothing but what his place and duty tied him unto, for procuring the liberty of his Princess; and that he came unto England with sufficient authority, which he had shewed, and was at the time accepted.* When it was replied, *that the priviledges of Ambassadors could not protect them, who did offend against the Majesty of the Princes they were sent unto, and that they were not to be reputed other then enemies, who practised rebellion against the State:* He answered, *that he had neither raised nor practised rebellion; but perceiving the adversaries of his Princess countenanced, and her out of all hope of liberty he could not abandon his Sovereign in her affliction, but do his best to procure her freedom. And that it would never be found that the priviledges of Ambassadors were violated, via juris, by course of law, but only via facti, by way of fact, which seldom had a good success.* After long altercation he was sent to the Isle of *Ely*, and from thence brought and imprisoned in the Tower, where he remained nigh two years. Some ten days after *Norfolks* execution, the Queen of *England* directed certain of her Council to the Queen of *Scots*, to expostulate with her for making suit to the Pope and King of *Spain*, and for receiving letters from the Pope, together with a sentence declaratory published against her self, whereunto (after protestation that she was a free Queen, and subject to none) she answered, *that she had indeed by letters solicited both the Pope and King of Spain, for restoring her unto her Kingdom, which was no prejudice to the Q. of England, that she had received godly and consolatory letters from the Pope. But for the sentence given by him, she never knew thereof, till a printed copy was brought unto her, which after she had read, she did cast into the fire.* These answers did not satisfy the Q. of *Engl.* who having understood that she had entered in a secret confederacy with the *Spaniard*, kept her from that time in a more strict custody then before.

The Bishop of *Ross* called in question for the Queens marriage with *No folk*.

The Bishop of *Ross* imprisoned at *Ely*.

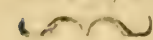
The Duke of *Norfolk* executed.

Certain of the Council directed to the Queen of *Scots*.

Yet at the request of the *French King*, she sent of new Sir *William Drury* unto



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The Queen  
of England  
created for  
peace among  
the parties.

unto *Scotland* to treat for peace; and if that could not be wrought, to procure a cessation of Arms for a certain space. But he prevailed nothing, the warres being then very hot, and the parties mightily incensed against others. No quarters were given, nor interchange of prisoners made, but all that were taken on either side, presently executed. This device was held to proceed from the Earl of *Morton*, who thought the troubles would not hastily cease, if a greater severity were not used towards them who withstood the Kings authority. But whose device soever it was, it proved exceeding hateful. The common sort taking it to have come of *Morton*, called the warres of that time *the Douglasses warres*. This form of doing continued from the 16. of *April* to the 8. of *June*, at which time both parties wearied of execution daily made, were content to cease from such rigour, and use fair warres, as in former times. In the North *Adam Gordon* after the *Forbeses* were defeated found no resistance, and following his fortune, reduced all beyond the river of *Dee* to the Queens obedience. To impede his proceedings (for he had entered then into the countrey of *Mernis* and was besieging the house of *William Douglass* of *Glenbervy*) The Regent directed the Earl of *Crawford* and *Buchan*, with the Lord *Glamis*, and Master of *Marshall*. These Noblemen meeting at *Brichen*, and waiting there till forces should assemble, *Adam Gordon* came upon them in the night, and killing the watches that were placed at the Bridge on the North side of the town, had very nigh taken them all in bed, but they wakened by the noise of the Trumpets, escaped, many were taken prisoners, and some 39. persons slain within the City. This done, he besieged the town of *Montross*, and forced them to pay a great summe of mony: which put the town of *Dundy* in such fear, as they were driven to seek aid of their Neighbours in *Fife*.

The Earls of  
*Crawford* and  
*Buchan* di-  
rected against  
*Adam Gordon*.

The Castle of  
*Blacknes* be-  
trayed by the  
Keeper.

At the same time the Castle of *Blacknes*, a Fort on the South-side of the river of *Forth*, was sold by the Keeper to the *Hamiltons*, and thereby the Navigation betwixt *Leith* and *Striveling* barred. At *Edinburgh* were divers skirmishes betwixt them, and the companies that lay at *Leith*; and (which was greatly lamented of both parties) the Lord *Methven* killed by a shot of Cannon from the Castle. The Duke in the mean time, having proclaimed a Justice Court at *Hamilton*, and divers persons within the Sherifdom of *Ransfrew* and *Lennox*, to answer to certain crimes, whereof they were delated; The Regent prepared to keep the diet, and leaving the Earl of *Montross*, and the Lord *Lindesay*, to follow the service at *Leith*, took journey to *Glasgow*, and from thence to *Hamilton*. But neither the Duke nor any in his name appearing to hold the Court, he appointed the Lord *Semple* Lieutenant in those West parts for the King, and returned to *Striveling*.

Ambassadors  
from *France*  
and *England*.

He had intended an expedition in the North, but upon advertisement that two Ambassadors were arrived at *Leith*, he turned thither; The one was *Monsieur de Crock* imployed by the *French*, the other Mr. *Randolph*, by *England*, who professed both of them to be sent for negotiating a peace amongst the parties; yet was it thought the *French* did not much affect the peace. For even then the Lord *Fleming* came from *France* with moneys to pay the souldiers that served the Lords at *Edinburgh*. This Nobleman some ten days after walking in the street, was unhappily wounded in the knee by the shot of an Harquebuze, whereof he died the sixth of *September*. As to the Queen of *England*, howbeit she desired peace to be made, yet she would have it in such manner, as both factions might depend on her, and so she had carried her self in all the late treaties, as however she favoured the Kings party most, the other party did never despair of her good will.

The Lord *Fleming* unhappily killed.

A cessation  
from warre  
concluded.

The two Ambassadors having tried the minds of both parties, they found them more tractable then they expected, and after some travel taken amongst them, obtained a cessation of Arms, and for the space of two moneths, (continuing from the first of *August*, to the first of *October*) upon the conditions following.

The Articles  
of Abstinence.

1. That the Regent, Nobility, and all other subjects of the Realm partakers with them in the present troubles, should faithfully promise during the said space, to abstain from all hostility.
2. That before expiring of the said Abstinence, the Nobility and Estates should convene



convene and advise upon the best means to establish a final peace, and if any difficulty should arise in the said treaty, which amongst themselves could not be composed, that the same should be remitted to the determination of the most Christian King and Queen of *England*.

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3. That the town of *Edinburgh* should be set at liberty, and made patent to all the subjects, and no place thereof be withholden, or fortified with Garrisons, the Castle only excepted, which before these troubles arose, was accustomed to be kept and guarded with souldiers.
4. That all the subjects of whatsoever quality and condition they were, should freely converse together without trouble or molestation, to be offered them by word or deed, excepting such as should be found guilty of the murder of the King his Father and Regents. The thieves and broken men of the Borders and Highlands, with the disturbers of the publick peace, betwixt the Realms of *Scotland* and *England*, none of which should be comprised in the present Abstinence, but remitted to the trial and censure of the Common law, and wheresoever they might be apprehended, presented.
5. And last, because there were divers persons, who in the time of these troubles had possessed themselves in other mens lands, and the tenth whereof in that season were to be collected; To the effect no impediment should be made to the peace intended, it was agreed that the corns and fruits growing upon the said lands, should be gathered and put in Granges, or stalked upon the fields, and not applied to any private use, before the expiring of the Abstinence.

These Articles were published the first day of *August*, both at *Edinburgh* and *Leth*, and the same day the Duke with the Earl of *Huntley* and their followers departed from *Edinburgh*, leaving the town free, and patent, as was agreed. This beginning of peace joyed not a little the good subjects, for which publick thanks were given in all the Churches, and solemn prayers made for the continuance, and perfection thereof. At this time or much about the same, the Earl of *Northumberland*, who had been kept a long time at *Lochlevin*, was delivered by the Earl of *Morton* to the Lord *Hunsden* Governour of *Berwick*, and shortly after beheaded at *York*. Hereat many did offend, esteeming the fact dishonourable, and a discredit to the whole nation: others did excuse it by the necessity of the time, and the inconvenience that the publick affairs might receive, if the Queen of *England* should be in any sort displeased. But so much the worse it was taken, that as the rumour went, *Morton* received for his delivery in *England* a great summe of money, and so the Nobleman thought rather to be sold, then delivered.

The next day after the publication of the Abstinence, the Regent and Nobility adhering to the King did enter into *Edinburgh*, where the Ambassadors after thanks given them for their pains they had taken were courteously dimitted. It was the 27 of *September*, some three days only before the expiring of the Abstinence, that the Noblemen did meet (as was appointed) to consult upon the means of a perfect peace. Whereupon it was first agreed that the Abstinence should be prorogued unto *January* next, after that, falling to treat of the businesse it self, they agreed in many points, and even then had made a final accord, if the Laird of *Grange* had not marred the same with his petitions; These were as followeth.

1. He craved a discharge to himself, and all that were in the Castle of all things, which they or any of them had committed since the beginning of the troubles, and that all Acts, Decrees, and Sentences pronounced against them, either in Parliament, secret Council, or before the Justice general, and his Deputies might be declared null, and of no effect.
2. That they should be repossessed in their rooms, heritages, and possessions, without any challenge to be made thereafter of the same by whatsoever person or persons.

3. That



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3. That the heirs of the Lord *Fleming*, the Lord of *Wormeston*, and others who were slain in the Queens cause, might enter to their heritage and rooms, as though they had never been forfeited.
4. That the Castle of *Edinburgh* should be consigned in the hands of the Earl of *Roths*, with the whole furnishing, munition and rent belonging there to the Captain, making an account of the Jewels, and other goods which he received with the house. As also restoring all the goods of the people of *Edinburgh* that were put in his custody, which he was content to do, he being freely discharged of all, and secured by Act of Parliament.
5. That the Castle of *Blacknes* should be put in the keeping of some one of their side, and the rents appertaining thereto, assigned for the entertainment of a Garrison within the same.
6. In respect of the great debt he had contracted in these warres he craved the sum of twenty thousand merks to be given him for satisfying his creditors.
7. That the Earl of *Morton* should resign the superiority of the lands of *Grange*, and other lands annexed thereto, to be holden of the Crown in all time coming.

And lastly, that the Lords within the Castle might be licenced to go into the Kingdom of *France*, or any other countrey they pleased forth of *Scotland*; and that the Earl of *Roths* should be surety for the accomplishment the whole premises.

The Regent  
and Council  
do answer to  
the Articles.

These Articles being presented to the Regent and Council, were for the first three judged reasonable; but to commit any places of strength to others then those who had constantly adhered to the King, they esteemed it not safe, and to give him any recompence, that was known to be the author of the last troubles, they said it would be a matter of ill ensample. For the licence craved to those of the Castle to goe out of the countrey, they held the petition very suspicious, and could not think there was a sound meaning in them that had moved the same: yet was it not thought meet to answer him by a simple denial at that time, but rather to keep him in hope, and appoint a new diet for pursuing the treaty begun. Thus by consent the Abstinence was prorogued, and the last of *Octob.* assigned for a new meeting at *Perth*.

The Regent  
dieth at *Striveling*.

The delay grieved the Regent exceedingly, and (as it was supposed) partly for this, and partly for the crossings he found in the publick affairs he contracted a sickness, whereof he died at *Striveling* the eighth of *October*. The adversary faction flattering themselves in their own conceits made the like construction of his death, which they had made of the other Regents that proceeded: saying, that it was an evident sign of Gods displeasure with the present courses, and that none of those who joyned in the enterprise against the Queen could prosper better. But to measure Gods love or hatred by these outward accidents, is folly; seeing they fall out alike to all both good and wicked: and for this Nobleman howsoever he was taken away to the countrey untimely, he died happily for himself, and well reported of all. Before his dying, he commended the care of the Kings person in most earnest manner to his Lady, and to *Alexander Ereskin* his brother appointing him keeper of the Castle till his son should be grown up, and be of a perfect age, and giving most wise directions both for the one and the other, ended his days in great quietness and in the assurance of that better life.

He commendeth the care of the Kings person to his Lady and Brother.

The description of *John Knox* his life and death.

In the next moneth *John Knox*, who had returned a little before to *Edinburgh*, departed this life. The Reader will pardon me, if here I make a little digression to shew what a man this was both in his life and death, the rather because some malicious and wicked spirits have studied by many forged lies to deprave his fame, only out of hatred of true Religion, whereof he was a zealous promoter. He was born in *Gifford* within *Lothian*, of a mean but honest parentage, and being put to school, made such profit in his studies under that famous Doctor Mr. *John Major*, as he was held worthy to enter into orders before the years allowed. By reading the ancients, especially the works of *S. Austen*, he was brought to the knowledge of the truth, and for the profession thereof endured many troubles, as well in the Cardi-



nals life, as after his death. Having happily escaped these dangers, he went into England, and became a Preacher of the Gospel, making his chief abode in the towns of *Berwick* and *Newcastle*. In the beginning of *Queen Maries* persecution, he fled in the company of some other Ministers to *Geneva*, and served with them in an *English* Congregation, which was there gathered, untill the year 1559. at which time he was called home by the Noblemen that enterprised the Reformation, and how soon the Church got liberty, placed Minister at *Edinburgh*; in this charge he continued to his last, for the civil troubles which forced him to leave the town, ceased no sooner then he returned to the place. But his body grown infirm, and his voyce so weak, as people could not hear him, teaching in the ordinary place, he made choice of another more commodious within the town, reading to his auditory the history of the Passion, in which he said, *It was his desire to finish and close his Ministry*. Thus he continued preaching, though with much weaknesse, two moneths and more after his return, and knowing that he was not to remain a long time with them, he was instant with the Council of the town to provide themselves of a worthy Parson to succeed in his place. Mr. *James Lawson*, who at that time professed Philosophy in the Colledge of *Aberdene*, being commended for a good Preacher, Commissioners were directed from the Superintendent of *Lothian*, the Church of *Edinburgh*, and Mr. *John Knox* himself, to desire him to accept the charge. To the letter that the Commissioners carried, after he had set his hand, he added this Postscript, *Accelera, mi frater, alioqui serò venies*, make haste brother, otherwise you come too late: meaning that if he made any stay, he should find him dead, and gone. These last words moved Mr. *Lawson* to take journey the more quickly; when he was come to the town, and had preached once or twice to the good liking of the people, order was taken by the Superintendent for his admission, and the Diet appointed, at which *John Knox* himself would be present, and teach, though he could scarce walk on foot to the chaire. At no time was he heard to speak with greater power, and more content to the hearers, and in the end of his Sermon, calling God to witness that he had walked in a good conscience amongst them, not seeking to please men, nor serving either his own or other mens affections, but in all sincerity and truth, preached the Gospel of Christ, with most grave and pithy words he exhorted them to stand fast in the faith they had received: and having conceived a zealous prayer for the continuance of Gods blessings upon them, and the multiplying of his spirit upon the Preacher, who was then to be admitted, he gave them his last farewell. The people did convey him to his lodging, and could not be drawn from it, so loth they were to part with him, and he the same day in the afternoon, by sicknesse was forced to take bed.

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Mr. James  
Lawson admitted  
Minister  
at Edinburgh.

During the time he lay, (which was not long) he was much visited by all sorts of persons, to whom he spake most comfortably, amongst others to the Earl of *Morton* that came to see him, he was heard say, *My Lord, God hath given you many blessings, he hath given you wisdom, riches, many good and great friends, and is now to preferre you to the government of the Realm. In his name I charge you, that you use these blessings aright, and better in time to come, nor ye have done in times past. In all your actions seek first the glory of God, the furtherance of his Gospel, the maintenance of his Church and Ministry, and next be careful of the King, to procure his good and the welfare of the Realm. If ye shall do this, God will be with you and honour you; if otherwise ye shall do it not, he shall deprive you of all these benefits, and your end shall be shame and ignominy.* These speeches the Earl nine years after, at the time of his execution, called to mind, saying, that he had found them to be true, and him therein a Prophet.

*John Knox* his  
speech to the  
Earl of *Mor-*  
*ton*.

His last speech to the Ministers.

A day or two before his death, he sent for Mr. *David Lindsay*, Mr. *James Lawson*, and the Elders and Deacons of the Church, to whom he said, *The time is approaching for which I have long thirsted; wherein I shall be relieved of all cares, and be with my Saviour Christ for ever. And now God is my witness whom I have served with my spirit in the Gospel of his Son, that I have taught nothing but the true and solid doctrine of the Gospel, and that the end I proponed in all my preaching was, to instruct the ignorant, to confirm the weak, to comfort the consciences of those who were humbled under the sense of*

His last speech  
to the Mini-  
sters and El-  
ders of the  
Church.



*An. 1572. their sinnes, and bear down with the threatenings of Gods judgements such as were proud and rebellious. I am not ignorant that many have blamed, and yet do blame my too great rigour and severity, but God knowes, that in my heart I never hated the persons of those against whom I thundered Gods judgements. I did only hate their sinnes, and laboured at all my power to gain them to Christ. That I forbear none of whatsoever condition, I did it out of the fear of my God, who had placed me in the function of the Ministry, and I knew would bring me to an account. Now brethren for your selves I have no more to say, but to warn you, that you take heed to the flock, over whom God hath placed you overseers, and whom he hath redeemed by the blood of his only begotten sonne. And you, Mr. Lawfon, fight a good fight, do the work of the Lord with courage, and with a willing mind, and God from above blesse you and the Church, whereof you have the charge. Against it, so long as it continueth in the doctrine of truth, the gates of hell shall not prevaile.*

The Ministers  
carry a Com-  
mission to the  
Laird of  
Grange from  
John Knox.

This spoken, and the Elders and Deacons dimitted, he called the two Preachers unto him, and said, *There is one thing that grieveth me exceedingly, you have sometime seen the courage and constancy of the Laird of Grange in Gods cause, and now unhappy man he hath cast himself away. I will pray you two, take the pains to go unto him, and say from me, that unlesse he forsake that wicked course wherein he is entred, neither shall that rock in which he confideth, defend him, nor the carnal wisdom of that man whom he counteth half a god (this was young Leithington) make him help, but shamefully he shall be pulled out of that nest, and his carcase hang before the Sun. The soule of that man is dear unto me, and if it be possible, I would fain have him to be saved. They went as he had desired, and conferred a long space with Grange, but with no perswasion could he be diverted from his course; which being reported, he took most heavily.*

He giveth or-  
der for making  
his Coffin.

The next day he gave order for making his Coffin, wherein his body should be laid, and was that day (as through all the time of his sicknesse) much in prayer, ever crying, *Come Lord Jesu, sweet Jesus in thy hands I commend my spirit.* Being asked by those that attended him, if his pains were great, he answered, that *he did not esteem that a pain, which would be to him the end of all trouble, and beginning of eternal joyes.* Oftentimes after some deep meditations, he burst forth in these words: *O serve the Lord in fear, and death shall not be terrible to you. Blessed is the death of those, that have part in the death of Jesus.* The evening which was to him the last of this wretched life, having slept some houres together, but with great unquietness (for he was heard to send forth many sighs and groanes) Robert Campbell Knize cleaugh, and John Johnston (called of Elphinston) which two gave diligent attendance upon him, askt after he awaked, how he did find himself, and what it was that made him in his sleep mourn so heartily? to whom he answered, *In my life I have often been assaulted by Satan, and many times he hath cast in my teeth my sins to bring me into despair, yet God gave me to overcome all his temptations; and now that subtile Serpent, who never ceaseth to tempt, hath taken another course, and seeks to perswade me; that my labours in the Ministry, and the fidelity I have shewed in that service, hath merited heaven and immortality. But blessed be God who brought to my mind these Scriptures: What hast thou, that thou hast not received? and, Not I, but the grace of God in me. With which he is gone away ashamed, and shall no more return, and now I am sure my battel is at an end, and that without pain of body or trouble of spirit I shall shortly change this mortal and miserable life, with that happy and immortal life, which shall never have end.* The prayers which ordinarily were read in the house being ended, it was inquired, if he heard them; he answered, *Would to God you had heard them with such an ear and heart, as I have done:* adding, *Lord Jesu receive my spirit.* After which words, without any motion of hands or feet, as one falling asleep, rather then dying, he ended his life. He was certainly a man indued with rare gifts, and a chief instrument that God used for the work of those times. Many good men have disliked some of his opinions, as touching the authority of Princes, and the form of government, which he laboured to have established in the Church: yet was he farre from those dotages wherein some that would have been thought his followers, did afterwards fall; for never was any man more observant of Church authority then he, always urging the obedience of Ministers to their Superintendents, for which



he caused divers acts to be made in the Assemblies of the Church, and shewed himself severe to the transgressors. In these things howsoever it may be he was miscarried, we must remember that the best men have their errors, and never esteem of any man above that which is fitting. As to the history of the Church, ascribed commonly to him, the same was not his work, but his name supposed to gain it credit; for besides the scurril discourses we find in it more fitting a Comedian on a stage, then a Divine or Minister, such as Mr. Knox was, and the spiteful malice that Authour expresth against the Queen Regent; speaking of one of our Martyrs, he remitteth the Reader to a further declaration of his sufferings to the Acts and monuments of Martyrs set forth by Mr. Fox an English man, which came not to light some ten or twelve years after Mr. Knox his death. A greater injury could not be done to the fame of that worthy man, then to father upon him the ridiculous toys and malicious detractions contained in that book. But this shall serve for his clearing in that particular. He died the 27. of November in the 67. year of his age, and had his body interred in the Church yard of S. Giles.

An. 1572.

The History given forth in his name was not of his inditing.

In the end of this moneth the Estates convening to elect a Regent made choice of the Earl of Morton, as the man in that time of greatest courage and counsel. The oath accustomed being ministred unto him, because through the last Regents death, the meeting appointed at Perth had failed: First, a conclusion was taken for calling a Parliament at Edinburgh the 26. of January, next the custody of the King and Castle of Striveling, was confirmed to Alexander Areskin, the Earl of Marre, being then under age, and he enjoined to receive none within the house that was known to be Popishly affected, or of the Queens faction; for others it was ordained, that an Earl accompanied with two servants only, a Baron with one, and private persons them alone (but all unarmed) should have access permitted, when their occasions required. To the Regent himself it was enjoined, "That if any place or office should fall voyd, he should prefer none thereto but such as was sound in Religion, and for other qualities apt and worthy. That during his Regencie, he should grant no respits, nor remissions for hainous crimes. That he should not transport the King forth of the Castle of Striveling, without the advice of the Council. That he should grant no favour to the murtherers of the Kings Father and Regents. That he should neither enter into league with foreigners, nor denounce warre without the consent of the Estates. And that he should be careful to entertain the amity contracted with the Queen of England. The Estates on the other part did promise to assist him with all their power against the Kings enemies, and to joyn with him in the reformation of whatsoever abuses crept in by occasion of the late troubles, without offending at the execution of justice upon their nearest and dearest friend. Order was also taken for the entertainment of his house, the serling of a resident Council, and the advancing of the revenues of the Crown to the best profit. And these were the things done in that meeting.

The Earl of Morton elected Regent.

Rules given to the Regent for his government.

Soon after came Sir Henry Killigrew Ambassadour from England, partly to declare the content which the Queen had received in the choice of the Earl of Morton to be Regent, and partly to renew the Abstinence which was then near the expiring. Herein he prevailed so farre with the Duke and Huntley, as they were brought not only to prorogate the Abstinence, but also to name certain Noblemen, who should meet for them at Perth, with such as the Regent by advice of the Council should nominate, for concluding a perfect peace. The Laird of Grange, and those that remained with him in the Castle, refusing to be comprehended in that treaty, went on in victualling and fortifying the house: for impeding whereof, the Regent did levie some companies of souldiers to inclose the Castle, and because the time of Parliament was approaching, he caused erect Bulwarks in divers places of the street, to secure the people at their meetings to Sermon, and the Judges that convened to the ministration of Justice. Grange finding himself thus pent up, did by a Proclamation from the Castle wall, command all the Queens subjects to depart forth of the town within the space of 24. hours.

Sir Henry Killigrew sent from England.

A treaty of peace.

The Laird of Grange refused to be comprehended in the treaty.

The time expired, he made the Cannon thunder upon the town to the great ter-



An. 1572.

He molesteth  
the town of  
Edinburgh,  
and fireth the  
houses.

A Parliament  
kept at Edin-  
burgh.

The pacifica-  
tion concluded  
at Perth.

rouer of the Inhabitants, yet there was no great hurt done that way; which when he perceived, he hired one of his souldiers to set fire in the night time to some houses under the wall, which destroyed a number of tenements: for a strong Western wind blowing in the time, the fire did so rage, as from *S. Magdalens* Chappel Westward all was consumed, none daring to put hand to quench the fire, because of the Canon that played still on the part where they saw any concurse of people. This made him extremely hated, and even they that otherwise wished him well, were greatly offended with this doing.

The Parliament notwithstanding kept, and therein divers Acts were made, partly for maintaining the Kings authority, partly for preservation of true Religion, which causes were held in those days so conjoynd, as the enemies of the one, were likewise esteemed enemies to the other. Therefore was it then enacted, That none should be reputed loyal and faithful subjects to the King, or his authority, but be punished as rebels, who made not profession of true Religion. And that all such as made profession thereof, and yet withstood the Kings authority, should be admonished by their teachers, to acknowledge their offence, and return to his Majesties obedience; and if they refused, that they should be excommunicated, and cut off from the society of the Church, as putrid and corrupted members.

The Parliament breaking up, the Regent by advice of the Council directed to the meeting at Perth, the Earl of Argyle then created Chancellour, the Earl of Montrose, the Abbot of Dunfermlin Secretary, the Lords Ruthven, Boyd, and Sir John Ballenden Justice Clerk. There met with them the Earl of Huntley, and Lord John Hamilton, Commendatory of Aberbrothock, authorised by the rest that maintained the Queens authority. The English Ambassadour assisting them, after some days conference, they were brought to agree upon these Articles.

1. That all persons comprehended in the present pacification should acknowledge and professe the true Religion established and professed within the Realm, and maintain the Preachers and professors thereof, against all opposers, specially against the confederates of the Council of Trent.

2. That the Earl of Huntley, and Lord John Hamilton, with their friends and followers, should submit themselves to the King, and to the government of the Earl of Morton his Regent and his successors in the same, acknowledging themselves the Kings subjects by their oaths and subscriptions.

3. That they should confesse all things done by them, under colour of any other authority, since the time of his Majesties Coronation, to have been unlawful, and of no force nor effect.

4. That an Act of Parliament should be made with all their consents, ordaining that none of the subjects should assist, fortify, supply, or shew any favour, directly, nor indirectly, to those who should happen to practise against the religion presently professed, the Kings person, his authority, or Regent. And if they should be tried to do any thing to the contrary, the remissions granted to them, with all other benefits of the pacification, should be null, and they pursued for their offences past, as if they had never obtained pardon for the same.

5. That all persons professing his Highness obedience, who had been dispossessed during the late troubles, should be reponed to their houses, lands, livings, benefices, and whatsoever goods belonging to them, if so the same were extant in the hands of the intrumetters, horses and armour only excepted.

6. That the Master of Forbes, James Glen of Barre, and all other persons should be set at liberty, as likewise the bonds given by the Lord Semple and others for entry of prisoners, or for payment of any ransomes, be discharged.

7. That the Earl of Huntley and Lord John Hamilton should dimit, and cause all souldiers hired or maintained by them, or any of their party to be forthwith dimitted.

8. That all processes of forfeiture which had been led, especially the sentences given against the Earl of Huntley, Lord John Hamilton, and Lord Claud his brother, William Bishop of Aberdene, Alexander Bishop of Galloway, Adam Gordon of Auchindown,



down, and the rest of their friendship, for any crimes or offences done in the common cause, against the King and his authority, since the 15<sup>th</sup> of *June* 1567. or for any other cause, contained in the summons of forfeiture raised against them, should be declared null, and of no force, without any other special declaration. And that the foresaid persons should have liberty given them, to reduce the said forfeitures as they should please.

An. 1572.

9. That all persons then returning; or who should return to the Kings obedience, and for any crime committed in the said common cause since the time aforesaid, had been dispossessed of their lands, heritages, Benefices, Pensions, heritable offices, and other profits whatsoever, whether the same had proceeded upon sentences of forfeiture or barratry, or any other way, should be effectually restored, and be rehabilitated to their blouds and honours; to the end they might enjoy the same as freely as if the said troubles had never happened.

10. That all actions, crimes, and transgressions committed by them and their followers since the 15<sup>th</sup> of *June* 1567. (incest, witchcraft, and theft excepted) should be freely remitted, so as the same did not extend to the murder of the first and second Regents, which are matters of such importance, as the Regent now in place would not meddle with. And yet in respect of the present pacification, if the same be moved to the Queen of *England* by the Committees thereof; whatsoever she should advise to be done therein, should be confirmed in Parliament, and the remission under the hand of the Clerk of the Rolles, be as sufficient, as if the same were passed the great Seal. And if any of them should crave a pardon for other crimes committed before the said 15<sup>th</sup> day, the same (upon notice given of the persons, and crimes) should be granted; the murderer of the Kings father, fire raising, theft, and the resser of theft, with incest, and witchcraft, being excepted.

11. That all civill decrees given since the said 15. of *June*, wherewith the said persons or any of them do find themselves grieved, should be reviewed by the ordinary Judges that pronounced the same, and the parties upon their supplications be heard to propone any lawful defence, which they might have used in the time of the deduction of the proces: providing the supplications be presented, and their petitions exhibited within six moneths after the date of these Articles.

12. That all persons comprehended in the pacification, after publication thereof, should indifferently be received in all parts of the Realm, as his Majesties good subjects; and that nothing done, or that hath occurred during the troubles, should be esteemed a cause of deadly feud and enmity, nor admitted as an exception, either against Judge, party, or witnesses.

13. That the heirs and successours of persons forfeited, and now departed this life, who are comprehended in this pacification, should be restored to their lands and possessions: and that it should be lawful for them to enter thereto by Breves, as if their fathers and predecessors had never been forfeited, and had died at the Kings peace; specially the heirs of *John* sometime Archbishop of *S. Andrewes*, *Gawan* Commendator of *Kilwinning*, *Andrew Hamilton* of *Cocknow*, and Captain *James Cullen*.

Unto these Articles some other particulars were added which were all confirmed by the oathes, and subscriptions of the Commissioners and Noblemen, in presence of the *English* Ambassadour, and a time given to *Grange* and those of the Castle, to accept or refuse the benefit of the peace. But that none excepted in the former Abstinence, nor any at that time forth of the Realm should think themselves comprehended therein; it was declared, that the benefit of the present pacification, should not be extended to them. This was done to exclude the Archbishop of *Glasgow*, and Bishop of *Rosse*, Ambassadours for the *Scottish* Queen, the one in *France*, and the other in *England*, against whom the sentence of Barratry had been pronounced.

A time given to those of the Castle to accept the pacification.

About this time Sir *James Kirkaldy* brother to *Grange*, who had been directed to *France* for supply of those within the Castle, returned, bringing with him a years rent of the *Scottish* Queens Dowry, but finding the house inclosed, and that there

Sir *James Kirkaldy* returneth from *France*.



An. 1572.

He takes land  
at *Blackness*,  
and is deliv-  
ered by the  
Captain to the  
Regent.

was no safe access thereto. he went to *Blackness*, which then professed to hold for the Queen. The Captain had betrayed the same, as we shewed before, to the *Hamiltons*, and now turning his coat to make his peace with the Regent, he offered to put in his hand both the man and the money. The bargain made, the money was given to the Regent, and *Kirkaldy* detained as prisoner. A few days after, the Captain going abroad to do some business, *Kirkaldy* enticed the souldiers by great promises to joyn with him, and lay hands upon the Captains brother, and a few Gentlemen left to attend him: which they following their Captains ensample, were easily induced to do. Thus the house was possessed in *Kirkaldies* name, and he of a prisoner turned to be chief commander. But he did not long enjoy this place, for his wife being come thither to visit him, when she was the next morrow to depart, desired the convoy of some souldiers for a mile or two, fearing as she pretended to be robbed by Captain *Lambie*, who lay with a company at *Linlithgow*, not far from thence: and as he, to save her, went forth himself to bring her on a part of the way, suspecting no treachery, he was in his return intercepted by *Lambie*, and carried first to *Linlithgow*, then to *Dalkeith*, where he was kept some days, and afterwards dimitted. In this sort did fortune sport her self with that Gentleman, changing his condition up and down three several times, within the space of a few dayes.

The English  
Ambassadour  
travellerh to  
make *Grange*  
accept peace,  
which he re-  
fuseth.

Peace now made with the chief Noblemen of the Queens faction, it was supposed that *Grange* and his partakers would likewise be moved to embrace it. Whereupon the Ambassadour taking with him the subscribed Articles, went to the Castle, and shewing how things had passed, used many perswasions to make them content to be comprehended therein. But they would not, affirming the conditions to be shameful, and so far to the prejudice of their Queen, as till they were allowed by her self, and by the French King, they should never admit them. After the Ambassadour had ceased to treat with them, the Earl of *Rothes*, and Lord *Boyd* travelled to the same effect, representing the danger and inevitable ruine they should fall into, if they did not yield in time. But they scorned these threats, thinking the strength they were in, impregnable, and looking still for some succours from *France* and the Duke of *Alva*, or if that should fail, they made no doubt to obtain their peace at easier conditions, then the Noblemen had accepted.

The Regent  
intreateth the  
Queen of Eng-  
lands hlp for  
expugnation of  
the Castle.

The Regent offended with their obstinacy, discharged all further dealing with them, and sent to the Queen of *England* for a supply of men, and munition; which was granted, and Sir *William Drury* Marshal of *Berwick* commanded to joyn with him in besieging the Castle. How soon the Regent understood, that the direction was given to the Marshal, the Lord *Ruthven* was sent to confer with him of the order that should be kept in the service. They meeting at the Church of *Lamberton* in the *Mers*, for preventing all debates that might arise, did agree as followeth.

Articles agreed  
betwixt the  
Regent and  
the English.

1. That neither the Regent nor the General should without the advice and consent of the other, transact or make any composition with the besieged.
2. That if it happen the house to be taken by assault, the munition, plate, jewels, and householdstuffs pertaining to the King, with the Registers, and publick records of the Kingdom there reserved, should be all delivered to the Regent, within three days after the house was recovered, and the rest of the spoil distributed amongst the souldiers.
3. That so far as might be, the persons within the Castle should be reserved to the trial of law, wherein the Regent should proceed by the advice of the Queen of *England*.
4. That the Regent should provide the English forces with victuals, and all other things necessary during the siege, as likewise assist them with a convenient power of horse and foot.
5. That recompence should be given at the Generals fight to the wives and nearest friends of the English souldiers, who should happen to be killed.
6. That if any of the Ordinance should break, or be otherwise spoiled, the same should be changed with other pieces of the like quantity within the Castle.

7. That



7. That the *English* General should not fortify within the ground of *Scotland*, without the Regents advice, and the service finished should immediately retire his forces. *An. 1573.*
8. And lastly, that for the safe return of the souldiers and munition (the losse which fortune of war should make being excepted) hostages of Noblemens sons should be delivered to the *English*, and entertained in the parts most adjacent to *Scotland*. *An. 1573.*

These conditions made, and the Masters of *Ruthven* and *Semple*, *John Cunningham* son to the Earl of *Glencarn*, and *Douglas* of *Kilspindie* being entred in *Berwick* as pledges; Sir *William Drury* marched with his forces into *Scotland*, and came to *Edinburgh* the 25. of *April*. The Regent giving out a Proclamation (wherein was shewed the care that the Queen of *England* had taken for the peace of the Realm in times past, and the liberal succours she had granted at the present for the expugnation of the Castle, treasonably detained and fortified by the Laird of *Grange*) *Did require and charge all good subjects, to carry themselves as became them towards the English General and his company, and not to injure them either by word or deed, except they would be esteemed enemies to the peace, and partakers to the Traitors in their rebellious attempts.*

A Proclamation given out by the Regent.

The next day the Castle was summoned, and offer made of their lives if they should yield before the planting of the Canon; but the Captain in stead of answer, set upon the highest Tower, his ensign for a token of defiance. Then the Pioneers were put to work, and begun to cast trenches, and raise mounts for planting the Artillery. The besieged made all the hinderance they could, playing with their Ordinance upon the workmen, and killing divers ere the mounts were brought to perfection. How soon they were erected, (being five in all, and entituled by the names of their severall Commanders) the Artillery was planted, 31. pieces in number, more and lesse. All things prepared, and the Parliament finished, which the Regent had called to the last of *April*, for ratifying the Articles of pacification, the battery began the 17. of *May*, on the 27. the Castle was made assaultable, the Canon having made great breaches in the fore and back walls; and the Tower called  *Davids Tower*, being also demolished. The 26. early in the morning, the assault was given in two places: at the West part where the ascent was most difficult, the assailers were repulsed, after an obstinate fight that continued 3. hours, and 24. persons killed; on the East side the blockhouse called *the Spurre*, was taken with less resistance, which put the defendants in fear, and made them demand a parle. This granted, a truce was taken for the space of two days, in which time the *English* General used many perswasions to the Captain to make him render the house; neither was he then unwilling, so as the lives and honours of these within might be saved: but the Regent would give no condition, and have him simply to yield. The Captain seeing nothing but extremity, resolved to stand to his utmost defence: yet when he came back to the house, he found them all within divided, and the greater part so discouraged, as they refused to undergo the hazard of a second assault; which forced him to other counsels, and so following *Lethingtons* advice, upon the 29. of *May*, being let down by a rope over the wall, he and *Pittadrow* his Constable did yield themselves and the house to the *English* General in the name of his Queen, whose discretion (misknowing the Regent) they were willing to abide. The General made them to be attended to his lodging, whither all that were of any note in the Castle were brought. Thereafter they were committed to severall places, most of them transported to *Leith*, and some detained in *Edinburgh* till the Queen of *England* should signify her will concerning them; the Ladies and Gentlewomen were licenced to depart, as likewise the private souldiers, and others of meaner sort.

The Castle summoned.

The Caprain answereth by a token of defiance.

The Castle made assaultable.

A truce taken, and the Captain willing to yield upon conditions.

The Castle rendered to the *English* General.

It was thought that the Queen in regard of the render made to her Lieutenant, would take a favourable course with them, and save their lives: but she gave direction to put them all in the Regents hands to be used as he thought meet; which when *Lethington* heard, either despairing of life, or not willing to enjoy it by the mercy



An. 1573.

Lesbington di-  
eth at Lesb.Grange and his  
brother execu-  
ted.The Queens  
faction quite  
defeated.The Regens  
expedition to  
the borders.His care for  
the Kings hou-  
ses and rents.He falleth out  
with the  
Church.

mercy of an enemy, he died at *Lesb* so suddenly, as he was thought to have made himself away by poison. A man he was of deep wit, great experience, and one whose counsels were held in that time for Oracles; but variable, and unconstant, turning and changing from one faction to another, as he thought it to make for his standing. This did greatly diminish his reputation, and failed him at last: which should warn all Counsellours to direct their courses by the lines of piety, and true wisdom; without which, the most politick prudence will prove nothing but folly in the end. His brother Mr. *John Maitelan*, who came afterwards to great honours, had his life spared, and was imprisoned in *Tentallon*. *George Creichton* Bishop of *Dunkeld* was sent to *Blackness*, and the Lord *Home* detained in the Castle, which the Regent gave to his brother *George Douglas* in custody; *Grange* himself, with his brother Sir *James Kirkaldy*, and two Goldsmiths, *James Mosman*, and *James Cockey*, were publickly hanged in the Mercat street of *Edinburgh*. Such was the end of Sir *William Kirkaldy* of *Grange*, a man full of valour and courage, who had sometimes done good service to his countrey against the *French*, and purchased by that means great honour. But seeking ambitiously to raise his fortunes, and hearkening to perverse counsel, he did break his faith to the Regent, who had put him in trust, and thereby lost all his former esteem, and drew upon himself these troubles, wherein he perished. His part was foul in the death of the Cardinal, and for it, when he was in his best estate, many did foredeem, that he should not escape some misfortune. Yet herein he was happy, that at his death he expressed a great sorrow for his sins, and departed this life with a constant and comfortable assurance of mercy at the hands of God.

By this defeat of the *Castilians* (so they were commonly named) the Queens faction fell quite asunder, nor did it ever after this time make head. The Bishop of *Ross* (who had followed her businesse as Ambassadour in *England*) being at the same time put to liberty, and commanded to depart forth of the Kingdom, went privately to *France*; for he feared the Earl of *Southampton*, and Lord *Henry Howard*, brother to the Duke of *Norfolk*, whom he had touched in his examination. When he came to *France*, to mitigate the anger they had conceived, he published an Apology for the depositions he had made, and whilest he lived, ceased not to do the duty of a faithful subject, and servant to the Queen; soliciting both the Emperour and Pope, the *French* King, and other Catholick Princes in her behalf; who gave many good words, but performed nothing. "So little are the promises of "strangers to be trusted, and so uncertain their help to Princes, that are once fallen "from their Estates. At home the Regent applying himself to reform the disorders caused by the late warre, begun with the borders, who had broken out into all sorts of riot, and committed many insolencies both on the *Scottish* and *English* side. Thither he went himself in person, where meeting with the *English* Wardens, he took order for redresse of by-past wrongs. And to secure the peace of the countrey, caused all the *Clannes* to deliver pledges for the keeping of good order, and made choice of the fittest and most active persons to rule and oversee those parts: Sir *James Home* of *Cauldinknowes* was made guardian of the East Marches; the Lord *Maxwel* of the West, and Sir *John Carnichal* of the Middle, who by the diligence and strict justice they observed ressetters and entertainers of thieves, reduced the countrey to such quietness, as none was heard to complain either of theft or robbery.

The next care he took was to order the revenues of the Crown, and recover such lands as had been alienated from it, or in any sort usurped; the jewels impignorated by the Queen, he relieved by payment of the moneys, for which they were engaged. He caused repair all the Kings houses, especially the Castle of *Edinburgh*, and furnished the same with munition, and other necessaries: and by these doings did purchase to himself both love and reverence, with the opinion of a most wise and prudent Governour.

Yet was it not long before he had lost all his good opinion, by the courses he took to enrich himself. Breaking first upon the Church, he subtrilly drew out of their hands the thirds of Benefices, offering more sure and ready payment to the Ministers,



sters, then was made by their Collectors, and promising to make the stipend of every Minister local, and payable in the Parish where he served. To induce them the more willingly to this, promise was made, that if they should find themselves in any sort hurt or prejudged, they should be reponed to their right and possession, whensoever they did require the same.

But no sooner was he possessed of the thirds, then the course he took for providing Ministers, was to appoint two, three, and four Churches in some places, to one Minister (who was tied to preach in them by turns) and to place in every Parish a Reader, that in the Ministers absence might read prayers, who had allowed him a poor stipend of 20. or 40. pounds *Scots*. As to the Ministers, they were put in a much worse case for their stipends then before, for when the Superintendents did assign the same, the Ministers could come boldly unto them, and make their poor estate known, and were sure to receive some comfort and relief at their hands; but now they are forced to give attendance at Court, begging their assignation and precepts for payment, or as their necessities grew, seeking augmentation, which seldom they obtained; or if any petty thing was granted, the same was dearly bought with the losse both of their time and means. The Superintendents were no better used, the means allowed to them for their service being withholden, and when they complained, they were answered, that *their office was no more necessary, Bishops being placed in the Dioces, and the Ecclesiastical jurisdiction belonging to them.*

These things lost him the Church, which then growing sensible of their oversight in denuding themselves of the thirds, craved to be reponed according to promise. But herein divers shifts were made, and after sundry delayes, it was directly told them, *That seeing the surplus of the thirds belonged to the King, it was fitter the Regent and Councell should modify the stipends of Ministers, then that the Church should have the appointment or designation of a superplus.* They not able to help themselves, did in the next Assembly take order that the Ministers, who were appointed to serve more Churches then one, should take the charge of that only at which they resided, helping the rest as they might, without neglect of their own charge. And because the placing of Bishops was taken for a pretext to withhold the Superintendents means, the Bishops were inhibited to execute any part of the Ecclesiastical jurisdiction within the bounds where the Superintendents served, without their consent and approbation. This crossing of one anothers proceedings, did set the Church and Regent so far asunder, that whilst he continued in office, there was no sound liking amongst them.

The discontents of the countrey were so great by the *Injustice Aires* (as they called them) that went through the countrey, and were exercised with much rigour, people of all sorts being forced to compe, and redeem themselves from trouble by payment of moneys imposed. The Merchants called in question for the transport of coyn, were fined in great summes, and warded in the Castle of *Blackness*, till they gave satisfaction. Nor left he any means unassayed, that served to bring in moneys to his Coffers: which drew upon him a great deal of hatred and envy.

I find at this time a motion made for compiling a body of our Law, and making a collection of such ancient statutes, as were meet to be retained in practice; which were ordained to be supplied out of the Civil law, where was any necessity; to the end Judges might know what to determine in every case, and the subjects be foreseen of the equity and issue they might expect of their controversies. This was entertained a while, and of good men much desired, as a thing beneficial to the countrey, and like to have cut off the occasion of many pleas. But it sorted to no effect, by the subtle dealing of those that made their gain of the-corruptions of Law.

It happened *John Ormeston* (commonly called *Black Ormeston*, because of his Iron colour) to be apprehended, and brought to trial at the same time for the murder of the Kings Father. This man was thought to be privy unto all *Bothwells* doings, and a more particular discovery expected by him of the form, and manner of that murder. Yet at his execution he did only confesse that *Bothwel* had communi-

An. 1573.

Two, three or four Churches appointed to one Minister.

The Superintendents denied payment of their means.

The Church desired to be restored to the thirds, but is denied.

An. 1574.

The Countrey vexed with Justice Courts.

A motion for compiling a body of our Law.

Black Ormeston executed for the Kings murder.



An. 1575. cated the purpose to him, and shewed him the subscriptions of the Earls of *Argile*, *Huntley*, Secretary *Leithington*, and Mr. *James Balfour*, testifying their consents to that wicked fact. Nottheless the Regent, to the offence of many, did suffer the said *Balfour* to enjoy the benefit of the pacification, and passed an Act thereof in open Council. Whether the subscriptions of *Argile* and *Huntley* were counterfeit or not, it was uncertain, but of the other two it was easily believed, as being men univerally hated. *Argile* died in September following, in whose place the Lord *Glamis* was created Chancellour.

Adam Heriot  
Minister at  
Aberdene, his  
death and qua-  
lines.

In the same moneth *Adam Heriot* Minister at *Aberdene* departed this life, a man worthy to be remembred. He was sometime a Frier of the Order of *S. Austin*, and lived in the Abbey of *S. Andrews*, an eloquent Preacher, and well seen in Scholastick Divinity. Queen Regent coming on a time to the City, and hearing him preach, was taken with such an opinion of his learning and integrity, that in a reasoning with some Noblemen upon the Article of *reall presence*, she made offer to stand to *Heriots* determination. Warning of this being given, and he required to deliver his mind upon that subject in a Sermon which the Queen intended to hear, he did so prevaricate, as all that were present, did offend and depart unsatisfied. Being sharply rebuked for this by some that loved him, he fell in a great trouble of mind, and found no rest, till he did openly renounce Popery, and joyn himself with those of the Congregation. Afterwards when Order was taken for the distribution of Ministers amongst the Burghs, he was nominated for the City of *Aberdene* (in which there lived divers addicted to the *Romane* profession) as one that was learned in Scholastick Divinity, and for his moderation apt to reclaim men from their errors. Neither did he fail the hope conceived of him, for by his diligence in teaching Schools, and Church, he did gain all that people to the profession of the truth; 14. years he laboured among them, and in end was forced by sickness to quit his charge. He died of the Apoplexy the 28. of *August*, in the 60. year of his age, greatly beloved of the Citizens for his humane and courteous conversation, and of the poorer sort much lamented, to whom he was in his life very beneficial.

An. 1575.

A conflict be-  
tween the Scots  
and English.

The next summer there fell out an accident which was like to have caused great trouble, and divided the two Kingdoms. Sir *John Forrester* Warden of the *English* side, and Sir *John Carmichael* of the *Scottish*, meeting in the Borders at a place called the *Red Smyre* for redressing some wrongs that had been committed, it fell out that a *Bill* (so they used to speak) was filed upon an *English*, for which *Carmichael* according to the law of the Borders, required him to be delivered, till satisfaction was made. Sir *John Forrester* either wearied with the multitude of businesse, or desiring to shift the matter, answered that enough was done that day, and at the next meeting the complainer should have satisfaction. *Carmichael* urging a present performance, they fell foul in words, which made the companies that attended draw their weapons. A great tumult there was, and at first the *Scots* being inferiour in number to the *English*, gave back. But as they were fleeing, they met with a company of *Fedburgh* men, who were come to attend the Warden. This giving them new courage, they turned upon the *English*, and made them flee. The chase held the space of two miles. Sir *George Heron*, Warden of *Tindale* and *Rhodesdale*, with 24. *English* was killed, the Warden himself, *Francis Russel* son to the Earl of *Bedford*, *Cuthbert Collinwood*, *James Ogle*, *Henry Fenwick*, and many others of good note were taken prisoners. When the Regent heard it, he was sore displeased, knowing the Queen of *England* would be much offended; whereupon he sent for the prisoners, and using them with all courtesy, excused what was done, and permitted them to return home. And the Queen indeed at the first report was much incensed, and thereupon sent Mr. *Killigrew* to the Regent, to require the delivery of *Carmichael*, which divers of the Council withstood. Yet such was the Regents care to please the Queen as he caused him enter into *England*, where he was a while detained. But the provocation being tried to have been made by the *English*, the Queen dimitted him honourably, and not without rewards. At his return, the Regent meeting the Earl of *Huntington* the *English* Commissioner at *Foulden* some

A meeting in  
the Borders be-  
tween the Re-  
gent and the  
Earl of Hun-  
tington.



some two miles from *Berwick*, all things were peaceably composed.

This year the Duke of *Chattellerauld* ended his life : A Nobleman well inclined, open, plain and without all dissimulation and fraud, but too easily led by them he trusted, which bred him much trouble; yet by the goodnes of God, who doth always favour the innocent and honest minded, he went through all, and died honourably and in peace. Not long after his son Lord *John Hamilton* riding to *Aberbrothock*, accompanied only with his ordinary train, (for he held himself secured by the pacification) was pursued by *William Douglas* of *Lochlevin*, who did lye with a number in his way, of intention to kill him. As he was refreshing himself at *Couper*; he was advertised of the danger, and presently resolved to single himself from his company, and flee to the Castle of *Lewchars*, deeming (as also it fell out) that they would follow the greater company, which he directed to keep together, and take the South of the River of *Edin*. Neither had they passed far, when they were invaded by a troop of horsemen, and forced to yield themselves. The Nobleman beholding this from the other side of the River, and knowing how soon they found themselves deceived, that they would make haste to overtake him, changed his first resolution, and fled to the house of *Darsey*, where he was received. *Lochlevin* beleayed the house, and kept him inclosed all that night, and the day following. But being charged by an Herald of Armes to dissolve his forces, and hearing that the Noblemans friends were gathering for his release, he departed home.

Being called before the Councel for his insolencie, and charged with the breach of the pacification; he alledged the exception of the first Regents murther; but that being found no warrant, and he refusing to give assurance for keeping peace, was committed to the Castle of *Edinburgh*, where he remained till surety was given.

In the Church this year began the innovations to break forth, that to this day have kept it in a continual unquietness. Mr. *Andrew Melvil*, who was lately come from *Geneva*, a man learned (chiefly in the tongues) but hot and eager upon any thing he went about, labouring with a burning desire to bring into this Church, the Presbyterial discipline of *Geneva*: and having insinuated himself into the favour of divers Preachers, stirred up *John Dury* one of the Ministers of *Edinburgh* in an Assembly which was then convened, to propound a question touching the lawfulness of the Episcopal function, and the authority of Chapters in their election. He himself as though he had not been acquainted with the motion, after he had commended the Speakers zeal, and seconded the purpose with a long discourse of the flourishing estate of the Church of *Geneva*, and the opinions of *Calvin*, and *Theodore Beze*, concerning Church Government, came to affirm, That none ought to be office-bearers in the Church, whose titles were not found in the book of God. And for the title of Bishops, albeit the same was found in Scripture, yet was it not to be taken in the sense, that the common sort did conceive, there being no superiority allowed by Christ amongst Ministers; he being the only Lord of his Church, and all the same servants in the same degree, and having the like power. In end he said, that the corruptions crept into the estate of Bishops were so great, as unlesse the same were removed, it could not go well with the Church, nor could Religion be long preserved in purity.

This his discourse was applauded by many, and some brethren set apart to reason and conferre upon the question proponed. For the one part Mr. *David Lindsay*, Mr. *George Hay*, and Mr. *John Row* were nominated: These three sustained the lawfulness of Episcopal function in the Church. For the other part Mr. *James Lawson*, Mr. *John Craig*, and Mr. *Andrew Melvil*, were choised to impugn the same. After divers meetings, and long disceptation amongst themselves, they presented their opinions to the Assembly in writing, as followeth.

1. First that they did not hold it expedient to answer the questions proponed, for the present. But if any Bishop was chosen that had not qualities required by the word of God, he should be tried by the General Assembly.

2. That

An. 1575.

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Duke Hamilton dieth.

Lord Aberbrothock pursued by Lochlevin.

He is saved in the house of Darsey.

Innovations in the Church of Mr. Andrew Melvil.

The Episcopal function called in question.

Some brethren selected to conferre upon the question.

An. 1575.

2. That they judged the name of a Bishop, to be common to all Mininisters that had the charge of a particular flock. And that by the word of God his chief function consisted in the preaching of the word, the ministrations of the Sacraments, and exercise of Ecclesiastical discipline, with consent of his Elders.
3. That from among the Ministers some one might be chosen, to oversee and visit such reasonable bounds, besides his own flock, as the General Assembly should appoint.
4. That the Minister so elected, might in those bounds appoint Preachers, with the advice of the Ministers of that Province, and the consent of the flock which they should be admitted.

And fiftly, that he might suspend Ministers from the exercise of their office upon reasonable causes, with the consent of the Ministers of the bounds.

The Bishops present in the Assembly.

There were present in this Assembly, the Archbishop of *Glasgow*, the Bishop of *Dunkeld*, *Galloway*, *Brichen*, *Dumblane*, and *Isles*, with the Superintendents of *Lothian*, and *Angus*; all of them interested in that business. Yet neither were they called to the conference, nor doth it appear by the Register of those proceedings, that they did so much as open their mouths in defence of their office and calling. What respect soever it was, that made them keep so quiet; whether, as I have heard, that they expected those motions should have been dashed by the Regent, or otherwise, that they affected the praise of humility: it was no wisdom in them to have given a way to such novelties, and have suffered the lawfulness of their vocation to be thus drawn in question.

Another Assembly of the Church.

In the next Assembly I find the same matter moved of new, and put to voices, but with a little change of the question, which was thus formed. *Whether Bishops as they were then in Scotland, had their function warranted by the word of God?* The Assembly without giving a direct answer, after long reasoning, did for the greatest part (so the records bear) approve the opinions presented in the last meeting, with this addition, *That the Bishops should take themselves to the service of some one Church within their Dioces, and condescend upon the particular flocks, whereof they would accept the charge.*

The Regent's motion to the Assembly.

The Regent hearing how the Church had proceeded, and taking ill the deposition of Mr. *James Patton* Bishop of *Dunkeld*, who was in the former Assembly deprived for dilapidation of his benefice; sent to require of them, whether they would stand to the policy agreed unto at *Leith*; and if not, to desire them to settle upon some form of government, at which they would abide. The Assembly taking the advantage of this proposition, answered, that they were to think of that business, and should with all diligence set down a constant form of Church policy, and present the same to be allowed by the Council. To this effect they nominated Mr. *Andrew Melvil*, Mr. *Andrew Hay*, Mr. *David Cunningham*, Mr. *George Hay*, Mr. *Alexander Arthbuthnet*, Mr. *David Lindsay*, and a number more; the Archbishop of *Glasgow* was named amongst the rest, but he being urged to take the charge of a particular flock, excused himself, saying, *That he had entered to his office according to the order taken by the Church, and Estates, and could do nothing contrary thereto, lest he should be thought to have transgressed his oath, and be challenged for altering a member of the Estate. Yet that it might appear how willing he was to bestow the gifts wherewith God had endued him to the good of the Church, he should teach ordinarily at Glasgow, when he had his residence in the City, and when he remained in the Sheriffdom of Aire, he should do the like in any Church they would appoint; but without astringing himself unto the same, and prejudging in any sort the jurisdiction he had received at his admission.* This his declaration made, he was no more troubled with that employment.

The Archbishop of *Glasgow* urged with a particular flock, answereth the Assembly.

Mr. Patrick Adamson provided to S. Andrews.

Mean while the See of S. *Andrews* falling void by the death of Mr. *John Douglas*, the Regent did recommend to the Chapter his Chaplain Mr. *Patrick Adamson* for the place; the Chapter continuing the election, till the Assembly of the Church did convene

convene, imparted to them the warrant they had received: and Mr. Patrick being enquired (for he was present at the time) whether he would submit himself to trial, and receive the office with those injunctions the Church would prescribe: Answered, that he was discharged by the Regent to accept the office otherwise then was appointed by mutual consent of the Church, and Estate. Hereupon the Chap-tour was inhibited to proceed. Notthelesse upon a new charge given them, they convened and made choice of him, which did so irritate the Church, as in the next meeting they gave Commission to the Superintendent of Lothian Mr. Robert Pont, Mr. James Lawson, and David Ferguson to call him before them, and prohibit him to exerce any part of his jurisdiction, till he should be authorisid thereto by the Assembly.

A form of Church policy was in the mean time drawn up and presented to the Regent by Mr. David Lindesay, Mr. James Lawson, and Mr. Robert Pont. In a short Preface set before it, they protested *to wish nothing more, then as God had made him a notable instrument in purging the Realm of Popery, and settling the same in a perfect peace, that he would also honour him with the establishing of a godly and spiritual policy in the Church; intreating his Grace to receive the Articles presented, and if any of them did seem not agreeable to reason, to vouchsafe audience to the brethren, whom they had named to attend. Not that they did account it a work compleat, to which nothing might be added, or from which nothing might be diminished; for as God should reveal further unto them, they should be willing to help, and renew the same.* The Regent reading the preface, though he did not like the purpose they were about, gave them a better countenance then in former times, and named certain of the Council to conferre with them, and make report of the heads whereupon they agreed. But the conference was not well begun, when it brake off by occasion of troubles that arose.

The discontents in the countrey were great and daily increasing by the Regents severe proceedings. One against Adam Whitford of Milneton did open the mouths of many men against him. This Gentleman was accused as one set on by John Lord Hamilton of Aberbrothock, and Lord Claud his brother to have killed the Regent. The suspicion did arise of some rash and boasting speeches, uttered by John Semple of Biltrees, out of his spleen against the Regent for an action intended against him concerning some lands belonging to the Crown, which had been given by the Queen to Mary Levingston his wife, one of her Maids of honour. His words were the more taken hold of, because he was Milnetons Uncle, and upon offer of the Torture was brought to confession; upon which also he was arraigned and condemned to death, and the Scaffold prepared for the execution; but was pardoned, which did manifest that which before was suspected, that by under-hand promise of favour, he was induced to this confession. The same means were tried with Milneton to have furnished evidence against these Noblemen for their forfeiture, which was the chief end of this trial. But he upon his Uncles confession being put to the Torture, valuing more his honour nor his safety, endured it with such resolution, shewed both by his words and countenance, as was in all mens opinion taken for an undoubted argument of his innocency, and the others testimony nothing regarded: But the Regent much blamed for such rigorous proceeding against him upon a false or faint-hearted mans confession extorted by fear, or drawn from him by other base respects; wherefore he was detested of his nearest kinsmen, as the other was honoured in all mens estimation for his courage and constancy. Amongst other proecesses he had intended for helping the revenues of the Crown, one was for the recovery of a parcel of ground, which the Queen had gifted to Mary Levingston one of her maids. The Gentlewomans husband called John Semple, made the best defence he could, and fearing the Regents rigour, had burst forth in some passionate speeches, avowing, that *if he did lose the lands, he should lose his life also.* This reported to the Regent, brought him to be suspected of some plot, for a speech was given out that Lord John Hamilton, and his brother Lord Claud were discontented with some of the Regents proceedings, and had instigated this Gentleman with his Nephew Adam Whitford of Milton, to kill him as he went down the street towards

An. 1576.

The Church
offended with
the Bishop, an-
swer.

A form of po-
licy presented
to the Regent.

An. 1576.

The discon-
tents great in
the countrey.

John Semple
and Adam
Whitford accu-
sed for conspi-
ring the Re-
gents death.

An. 1577.

the Palace with an Harquebuse. *Semple* called in question for this, and his other rash speeches, upon representation of the torture confessed all, for he was a fearful man and of no courage. *Milton* being apprehended in the Isle of *Bute*, and brought to his examination, denied that any such motion had been made to him, and being put to the torture, endured the same patiently, not confessing any thing. His constancy and the resolution he shewed both in words and countenance, made the others confession not to be credited, every one interpreting the same to have proceeded of weaknes, and want of courage. The Gentlemans case was much pitied, and the mouths of many opened against the Regent for using such rigour, only upon the confession of a fearful and faint-hearted man: but the troubles we mentioned did arise by another occasion.

The Earl of
Argile and
Athol at vari-
ance.

In the Highlands one *Allester* dow *Macallan*, a notorious thief, who had committed many robberies, was apprehended by the Earl of *Athol*, who minding to put him to a trial, was inhibited by the Council, and charges directed against him for exhibition of the man. The fellow being presented after he had stayed a while in prison, was upon *Argiles* desire set at liberty, and falling to his accustomed depredations, committed divers insolencies in the bounds of *Atholl*. The Earl to repair this wrong done to his people, prepared to invade *Argile*, and he making to defend his countrey, all those parts were in an uproar. This reported to the Regent, a messenger of Armes was sent to discharge those convocations, and cite them both before the Council, but they disobeyed, and by the mediation of friends were shortly after reconciled.

A great inso-
lence commit-
ted by *Argile*.

This trouble was no sooner pacified then upon an injury done by the *Clan-donald* to the Earl of *Argile*, he took Armes, and being charged to dissolve his forces, in stead of obeying, he laid hands on the messenger, tare his letters in pieces, and made him and his witnesses swear never to return into *Argile* for the like businesse. This insolency, whereof the like had not been seen nor heard since the Regents acceptation of the government, incensed him mightily, but not knowing how to overtake him in that season (for it was done in the beginning of Winter) he resolved to use the course of law, and proclaim him rebel.

An. 1577.

Alexander Ales-
kin pacificus
a change.

Argile and
Athol agreed.

Argile com-
plaineth of the
Regent to the
King.

Athol his ad-
vice to the
King, for
trying *Argiles*
complaint.

Alexander Areskin who attended the King, having his own discontents, and trusting to better his condition by a change of the government, dealt secretly with the two Earls, *Argile* and *Athol*, after he understood them to be agreed, and advised them to come, one after another, but much about one time, and mean their case to the King, to whom he promised they should find access. *Argile* coming first, complained of the Regents extreme dealing, in that he had denounced him rebel to his Majesty, whose true and faithful servant he had always been, and requested his Majesty to assemble the Nobility, and do him right according to the lawes: withall, he intreated that he might be permitted to remain with his Majesty till the Nobility should meet for trial of his complaint. The Earl of *Athol* came some two days after, to whom the King did communicate *Argiles* complaint, craving his advice in the business. And he as though he had known nothing of the matter, answered that the Nobleman's petition seemed reasonable, and that his Majesty could not take a better course, then call the Nobility, and by their advice take order for preventing the troubles that might arise by their dissensions. The King liking the advice, commanded letters to be written for all the Noblemen in the countrey to meet at *Striveling* the tenth day of *March*: yet the advertisement went only (the two Earls having the direction of the letters) to those that were their own friends, and enemies to the Regent. Amongst others, the Lords *Maxwel* and *Ogilvy* were invited to come; of whom the first had been lately dispatched from his office of Wardanrie in the West Marches, and committed in the Castle of *Blackness*, the other had of a long time been confined in the City of *S. Andrews*.

The Regent
sendeth to
inform the
King of *Argiles*
contempt.

How soon the Regent was advertised of *Argile* and *Athols* being with the King, and that they had moved him to call the Nobility to a meeting, upon a pretext of trying

trying *Argiles* complaint; he sent the Earl of *Angus*, the Lord *Glamis* Chancel-
cellour, and the Lord *Ruthven* Thesaurer, with a letter and certain notes under his
hand to be communicated to the King. In the notes he made a particular relation
of the contempt done by the Earl of *Argile* to his Majesties authority, and of his pra-
ctises with *Aibol* to disturb the common peace: desiring to know his Majesties
pleasure concerning them; "that if his Highness would allow him to follow the
"course of law, he might do his duty; if otherwise his Majesty thought fit to over-
"see their disobedience, that he would be pleased to disburthen him of his office,
"and not suffer his own name and authority to be despised in the person of his ser-
"vant: for as he had at sundry times made offer to dimit the Regiment whensoever
"his Majesty was pleased to take it in his own hands, so will he now most wil-
"lingly resign the same, so as a substantial course were taken for the preservation of
"his Highness person, the ordering of his Majesties house, and the dispensing of the
"revenues of the Crown. Herewith he recommended the keeping of the peace
contracted with *England*, because of the danger that a warre might bring, not only
to the Realm, but also to his Highness title, and right of succession in that Kingdom.
And having recounted the services done by himself, from his Majesties birth unto
that present; specially his assistance at the Kings Coronation; the danger whereun-
to he exposed himself and his friends in *Lanside* field, and at the siege of
Brichen; The legations which he had undertaken to *England*; the recovery of the
Castle of *Edinburgh*; the pacification of the Realm, which at his entry to the go-
vernment he found in great trouble; the redeeming of the jewels and moveables
pertaining to the Cown, and the restoring of the royal Patrimony to some reason-
able estate: in regard of all these services he craved no more, but an allowance
of what he had done in his office, and a discharge of his intromissions by the Estates
of Parliament.

An. 1577.

His offer to di-
mit the Re-
gency.

These notes being shewed to the Noblemen who were about the King, (for
numbers were come upon the rumour of a change that was in hand) they did all ad-
vise him to take hold of the offer of dimission made by the Regent, and accept
the government in his own person, after which he might deliberate upon such
things, as the Regent had moved. Some were of opinion that the King should
write to the Regent, and require of him a dimission; but the greater part
misliking delays did reckon it more sure, to do that which was meant at once,
and not to protract time with a communing, such as that manner of proceed-
ings would necessarily breed; The King liking best the perswasions that were
given him to reign, (a thing natural to Princes) resolution was taken to dis-
charge the Regent of his authority, and publish the Kings acceptation of the
government.

The King is
advised to ac-
cept the Re-
gens dimis-
sion.

This conclusion was the same day imparted to the Regent, who thereupon sent
the Laird of *Whittingham* to desire the King before any innovation was made, to
reconcile those of the Nobility that were in variance with others; thinking this way
to hold off the publication intended at least for some days. But it availed nothing,
for immediately were the Chancelour and Lord *Hereis* sent with this Commission
to him in writing: *That his Majesty considering the dislike which many had of his go-
vernment, and the apparent troubles to fall upon the Realm, had by the advice of the No-
bility determined to accept the rule in his own person; and because delay of time might
breed some further grudge, and inconvenience, he did therefore require him to send his
Declaration in writ with all speed, for testifying his obedience and allowance of what was
done, and to abstain from all further administration or exercise of the office of Regency.
As concerning his desires, for the surety of his Majesties person, the ordering of his house,
and revenues of the Crown, with preservation of the peace with England, and the settling of
the Borders and Highlands, his Highness should omit nothing that lay in his power to do for
effecting the same, and therein would follow the counsel, which he and the rest of the No-
bility should give unto him; and for the discharge of his administration, he should have
all granted, which with reason he could require, the form whereof his Majesty did will him
to draw up, that he might deliberate with his Council what was fit to be done therein, assu-*

A Commission
from the King
to the Regent.

An. 1577.

The Kings acceptance of the Government.

The Lord Boyd chidech the Regent for his dimission.

The Chancelour and Earl of Angus employed in the Regents dimission to the King.

The Regents discharge of his administration.

ring him that he should be well and graciously used. With this Commission they did likewise carry a letter written by the King himself in very loving terms, declaring, that because he saw no other way to maintain concord amongst his subjects, he had accepted the government in his own hands, and that he was confident to have the defects of his age and experience supplied by his Nobility, especially by himself, whom he would ever love, and acknowledge as his trusty Cousen most tender to him in blood (these be the words of the letter) and one of his true and faithful Counsellours.

In the mean time the Kings acceptance was published at *Striveling*, and the next day being the 12th of *March* proclaimed at *Edinburgh*, where the Regent himself was assisting, and took instruments of his dimission in the hands of two Notaries. It grieved divers of his friends that he had so easily condescended to quit the place, which they thought he might with good reason have kept, till a Parliament had been called for that purpose. Amongst others the Lord *Boyd*, who was most intire with him, and came to *Edinburgh* some few houres after his dimission, did chide him bitterly, speaking to this effect. *That he did presume too much of his own wit, who in a matter of so great moment would not once ask the opinion of his friends; and that in a short time he should find that he had done unwisely, to forsake the place committed to him by the whole Estates of the Kingdome, at the pleasure of his enemies. For it is sufficiently known, said he, that the King is a childe, and that these motions have not proceeded from himself. Now when he hath assumed the government, and ye left the place intrusted to you, shall he not be governed by those that are about him, whom you know to be your enemies? But ye perhaps do promise ease and safety to your self in a private life: as if you might descend without any danger, from the place which ye have held. Wise men have observed that between highest, and nothing there is not a mean; and it feares me you have wronged your self in imagining the rest you shall never find. If you had kept your place, they should have seen the faces of men, and not carried things thus at their pleasure; but having forsaken your self, there is nothing left to your friends, but to lament your misfortune; and God grant that this be the worst of things.* This said, he went aside, and burst forth in tears. The Regent (whom we will no more call so) excused his doing, by the instance that the King made for his dimission, saying, that his refuse would have made a great commotion in the Realm; yet did he perceive his errour, and in his secret thoughts, which he covered so well as he could, blamed his own rash and precipitate yielding. But there being no place left to refile, the next best he thought was to secure himself, and his friends, by discharge of all things, that might be laid to him or them, during his administration; and therein he employed the Earl of *Angus*, and the Chancelour, whom he did constitute his procurators to compeir before the King, and make dimission of his office, with such solemnities as by law were requisite.

This done, the discharge was given him in most ample form. Therein after a general approbation of his service, he was declared not to be accusable of any manner of crime, of whatsoever greatnesse or weight, without exception, that might be alledged to have been committed by him in times past: which declaration was ordained to be as valid, and sufficient in all respects, as if the highest crime that could or might be imputed to any person, had been specially expressed in the same. He was also exonerated of all summes of money, rents, and profits, as well of property, as casualty intromitted with by him or his factours and servants, since his acceptance of the Regiment (the jewels of the Crown, the furniture of his Majesties house, Munition and Artillery onely excepted.) A provision was adjected, *That the present discharge should not prejudice the King and his successours in the revocation or reduction of whatsoever infeoffments, given of the property, during his Highness minority, or of whatsoever lands, Lordships, offices, or dignities, fallen in his Majesties hands by forfeiture, recognition, bastardy, or by any other right, and priviledge of the Crown.* In all other points

points the discharge was ordained to stand firm and sure for him, his heirs, and successors, and the same never to be revoked, or any thing attempted to the contrary: and for his greater assurance, the same was promised to be confirmed by the Estates of Parliament in their first convention and meeting. The Noblemen, and others of the Estates then present with the King, did likewise bind themselves, their heirs and successors, to see all the foresaid points truly fulfilled, under the pain of five hundred thousand pound. So as nothing was omitted, which he could devise for his securing. Yet in all this he found no assurance: to teach men, that it is not to be had in any worldly thing, but to be sought of God alone. All men are compelled to acknowledge so much in the end, though often too late; which was the case of this Nobleman, as we shall hear. But better late, as the saying is, then never.

An. 1577.

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THE

An. 1577.

THE HISTORY

of the CHURCH

OF

SCOTLAND.

THE SIXTH BOOK.

The Contents.

The things that happened after his Majesties assuming of the Government in his own person, unto his happy succession to the Crown of ENGLAND.

An. 1577.

Mortons enemies are still practising against him.



HE King was not yet twelve years compleat, when in the manner ye have heard they moved him to assume the Government, yet did he shew more judgement in his very beginning, then could be expected from one of his years. The Earl of *Mortons* enemies, not satisfied with his displacing, were still casting how to bring him into the Kings dislike. And first shewing, that there was a necessity of the Kings residing at *Edinburgh*, where was the place of Justice; they desired he should be charged to render the Castle. Then informed that he had amassed a great treasure in the time of his Regiment, they moved the King to require of him some moneys, for supporting the charges whereunto he would be put at his first entry. They did further talk of the Mint-house, and the commodity he reaped thereby. And to denude him of all power, they desired the state of the borders to be looked unto, and the office of Lieutenandry which the Earl of *Angus* his Nephew had in those parts, discharged. To one or other of these they conceived he should be unwilling, and so they should find some matter against him.

The King his calm proceedings with *Morton*.

But the King refusing to use him with charges, took a more moderate course, and sent the Chancellour and Thesaurer to feel his mind in those things. He lay then at *Dalkeith*, and having heard their propositions, howbeit he knew those motions did proceed from his adversaries, and was not ignorant what they intended, he answered calmly, *That the jewels and moveables appertaining to the Crown, being received of his hand, and he and his deputies discharged, the Castle should be rendered most willingly. But for the advancing of moneys he excused himself, saying, that was not unknown, how he had received his office in a time full of trouble, and when the countrey was embroiled in a civil warre, the burthen whereof he sustained upon his private charge; and that since the troubles ceased, he had payed a great many debts, repaired his Majesties houses and Castles, and put them in a better case, then for many years before they had been: That the entertainment of his Majesties house, and maintaining of his own as Regent, was a matter of no small charge; which the ordinary revenues of the Crown would hardly do: yet when his Majesty should be of perfect age, and his honourable occasions did require it, he should not be wanting according to his ability, and bestow all his means for his Majesties honour. Concerning the Mint-house, he said, that he had kept it in the best order he could, and having now no more charge of it, he wished the King to do therewith as he thought best. For the affairs of the border, that he had moved the Earl of *Angus* to undertake that service for the quietnesse of the countrey, but seeing he had no lands in those quarters, and*

that

that the offices of *Wardenrie* might suffice to hold those parts in order, he would advise the King to dispose them to the most sufficient that could be found. An. 1578.

The Noblemen returning with these answers, the King did rest well satisfied. But a pitiful accident that fell out in the time, gave an hinderance to these business. The Chancellour going to the Castle to make his report to the King, as he returned to his lodging, did encounter the Earl of *Crawford* in the street, called commonly *the Schoolhouse wynd*. There had been an old grudge bewixt the two families, whereupon the Noblemen passed by others without salutations; the street being narrow, and the companies of each side great, when they were almost parted, two base fellows fell a struggling for the way, and by thrusting one at another raised a tumult, in the very beginning whereof, the Chancellour was killed with the shot of a Pistol. It was certainly known, that the Noblemen did purpose no harm to others, for *Crawford* did call to his followers to give way to the Chancellour, as he on the other side called to give way to the Earl of *Crawford*, yet by this unhappy accident were the old dissensions that had long slept revived; and a fresh enmity raised, which turned to the great hurt of both. The death of the Chancellour was much lamented, falling out in the time when the King and countrey stood in most need of his service. He had carried himself with much commendation in his place, and acquired a great authority: most careful was he to have peace conserved both in the countrey and Church, and laboured much to have the question of Church policy settled; upon which subject, he interchanged divers letters with *Theodore Beze*. Some have blamed him of too great curiosity in that matter, but his intention certainly was pious and commendable. A pitiful Accident.

Upon his death the Earl of *Athol* was preferred to be Chancellour; at which the Church did mightily offend; as likewise of the admission of the Earls of *Cathnes*, and *Eglinton*, with the Lord *Ogilvy* upon the Council, who were all thought to be Popishly inclined. This being meant to the King, was in some sort satisfied by their promises, and subscriptions to the Articles of religion; yet the suspicions of their unsoundness still continued. And now began they who longed for the change of *Mortons* government, to repent the alteration that was made; for howsoever he did not favour the novations in Church policy urged by some Ministers, he kept a severe hand over Papists, permitting none to enjoy any publick office, who was not sincerely affected to the truth. The Earl of Athol created Chancellour.

The first of *April* the Castle of *Edinburgh* was delivered to the Lords *Ruthven* and *Lindesay*, who were appointed by the King to receive the house, and a discharge given to the Earl of *Morton* of the jewels, munition, and moveables within the same. And the same day *John Seaton* of *Louch*, and *John Cunningham* of *Drumwhassil* received the keys in name of *Alexander Areskin* Uncle to the Earl of *Marre*, upon a warrant directed to them for that effect. The Earl of *Morton* resolving to live private, and to have no more meddling in publick affairs retired to *Lochleven*, where he stayed not long, being recalled to Court by this occasion. The friends of the house of *Marre*, of whom the principals were the Abbots of *Driburgh* and *Cam-buskenneth*, out of some jealousy they conceived of *Alexander Areskin* his courses, and a fear that the young Nobleman who was then grown to some years, might be prejudged of his right in keeping the Castle; practised secretly to exclude him, and entring one morning with a number of his followers, seized upon the keeper of the gate, took the keys from him by force, and putting him and his men forth, placed others in their rooms, whom they caused swear fidelity to the Earl of *Marre*. An. 1578.

How soon the Council (which then remained at *Edinburgh*) was advertised of this change, they prepared to go to *Striveling*, and for their greater security were furnished with some companies of men by the Town of *Edinburgh*, but by letters from the King they were stayed. In these letters the King shewed that it was a private dissension only that had happened betwixt the friends of the house of *Marre*, which he would have peaceably composed, and therefore desired them to come unto him after a day or two in quiet and sober manner, and assist the reconciliation. They obeyed, and coming to *Striveling*, in a frequent Council kept the third of *May*, The Castle of Edinburgh delivered to the Earl of Marre.

The Castle of *Striveling* surprised by the Earl of *Marre* his friends.

The Council goeth to *Striveling* and composeth the controversy.

An. 1578.

Conditions
preſcribed to
the Earl of
Marre.

May, the controverſy was in theſe termes compoſed: *That the Earl of Marre being now come to a reaſonable age, he ſhould attend the Kings perſon, and have the cuſtody of the Caſtle of Striveling, and that the Maſter his Uncle ſhould remain Captain of the Caſtle of Edinburgh, and when he came to Court have his table kept as before, and enjoy the place of a Gentleman of his Majesties chamber.* The conditions preſcribed to the Earl of Marre were, *That he ſhould guard the Caſtle, attend the Kings perſon therein, and not remove him to any place whatſoever without the knowledge and conſent of the Council. That he ſhould not receive any within the houſe, whom he knew not to be well affected to the King; admitting an Earl with two only in train, a Lord with one, and Gentleman ſingle; that Mr. George Buchannan and Mr. Peter Young ſhould continue his inſtructers, and no others be admitted without the Councils conſent, nor any religious exerciſe kept within the Caſtle, but that which the Parliament had approved.* For the obſerving of theſe Articles, the Earls of Athol, Angus, Argile, and Montroſ, with the Lords Ruthven and Lindeſay, became ſureties. For the Maſter his Uncle, and his fidelity in keeping the Caſtle of *Edinburgh*, with the jewels, munition, and other moveables, the Earls of Athol, Argile, Montroſ, and the Lord Ruthven gave their bond and obligation. Some days after this broile, the Captain his eldeſt ſon (called *Alexander*) a youth of great hopes, departed this life, as it was thought, of a grief he conceived for the indignity done to his Father.

A Convention
at Striveling.

This agreement being made, and the Lords being then to return to *Edinburgh*, the King did ſignify unto them, that becauſe the Parliament was indiſſolved the tenth of *July*, he would before that time call a number of every eſtate together, for the preparing of matters; and that all emulations laid aſide, they might concur and joyn their counſels for the publick good of the Realm. The Diet for this meeting he appointed at *Striveling* the tenth of *June*. The Convention at the time was frequent: of the Clergy, eight Biſhops, and as many Abbots were preſent: of the Nobility nine Earls, and eleven Lords, and divers Commiſſioners of Burghs. The Earl of *Morton* at the Kings earneſt intreaty came alſo thither, and at his coming was admitted upon the Council, having the precedency allowed him, with the conſent of the reſt, becauſe of the Regency he had a long time ſuſtained.

The Earl of
Morton cometh
to Striveling.

The Kings
motion to the
Lords and the
reſt of the
Eſtates.

In the firſt meeting the King after he had given thanks to the whole number for the readineſſe they had ſhewed to convene in that place, propoſed two things. One was touching the Parliament, and the place where it ſhould hold. The other concerned an Ambaſſage, which he intended to ſend into *England*. For the Parliament he ſaid, that he longed to ſee a meeting of the Eſtates, and would have the time to which it was called preſiſely obſerved, wiſhing them all to addreſſe themſelves thereto in time, and to come in a peaceable manner, as men diſpoſed to do good, and ſeeking the common profit of their countrey. And for the place, ſeeing his own preſence was neceſſary, and that he could not conveniently remove from *Striveling*, he deſired the Parliament to be ſeſſed at *Edinburgh*, at the day appointed, and then prorogated ſome four or five days, and brought to *Striveling*. For the Ambaſſage, he gave divers reaſons, Firſt, that having aſſumed the government in his own hands, he was bound in courteſie to viſit the Queen of *England*, and give her thanks for the kindneſſe he had received of her in his minority. Next, that the diſorder lately fallen out in the borders, (for about that time ſome borderers had entred into *England* and committed great robberies) laid a neceſſity upon him, to clear the countrey of that fact, and make offer of redreſſe. Thirdly, that he had a private buſineſs, which touched him nearly, his Grandmother the Lady *Lennox* being newly deceaſed, and he being her only heir; it concerned him, he ſaid, to inquire what her laſt will was, and to ſee that no prejudice was done to him in his ſucceſſion to the lands ſhe poſſeſſed in *England*. Laſtly, if they did think meet (but this he remitted to their wiſdomes) he ſhewed that he could like well to have a motion made of a more ſtriſt league betwixt the two Realms, during the Queens life and his.

The Coun-
ſellours diſ-
ſwade the
change of the
place of Parlia-
ment.

It grieved the ordinary Counſellours much, that the place of Parliament ſhould be changed, who therefore laboured to diſſwade the King from it; but perceiving him reſolved that way, they gave their conſents, though moſt unwillingly. When they came to ſpeak of the Ambaſſage to *England*, they acknowledged the neceſſity thereof; but took exception at the league, pretending the ancient league with

France.

France. It was replied, That the case of things was much altered from that in former times; that England and Scotland had now the same enemies because of their common profession; so as for their own safety it was needful they should joyn together in strict friendship; and that the league with England might be so contracted, as the old amity with France should remain inviolate. The King further declared, that he did not mean to give power to his Ambassadour for concluding a league, wherein he would do nothing rashly, nor without the advice of the Estates; only he desired, the same should be moved, and upon the report of the Queens liking thereof, that the conditions of the league should be well and gravely advised. After long reasoning, the matter being put unto voices, it was by plurality agreed, that the same should be made one of the Ambassadours instructions; against which, the Earls of Argile, Montrose, and Cathnes, the Lords Linde-say, and Innermaith, with the Commendatary of Deir took publick protestation.

These things bred a new heart-burning amongst the Noblemen, for they took Morton to be deviser of all, and that he was craftily drawing back the administration of affairs unto himself, which albeit they dissembled for the present, brake forth after a few days in an open dissension. The Citizens of Edinburgh were much offended with the Kings remaining in Striveling, and the remove of the Parliament from their town; and as it happeneth in such times of discontent, rumors were dispersed that the King was detained captive, and was shortly to be sent into England, and the ancient league with France dissolved. This being in the mouthes of all men, and talked of not in corners, but in open and publick meetings, a Proclamation was given out the sixth of July, "Declaring the falshood of those rumors, "and that the same were raised by some seditious spirits that could not live quiet, "under any sort of government; for as to the Kings detention, it was known to "be most false, and that it was his own choice to remain at Striveling, attended by "those, whom the Council by common consent had appointed for the safe custody "of his person; And for the Parliament, which they said, was to treat of the dis-solution of peace with their old confederates, and to make up new leagues with "others, there was no such matter; it being his Majesties only purpose to have "such things intreated in that meeting, as might tend to the advancement of Gods "honour, the safety of his Royal person, and the establishment of good laws "for the quietnesse of the Realm. Whereof if any made doubt, they might be re-solved at their coming to the Parliament, which was now approaching. Therefore "were all good subjects advertised, not to believe those seditious reports, nor suf-fer themselves to be led by such wicked suggestions into rebellion.

This declaration prevailed little with the most part, for the mindes of men were much exasperated. And the time of Parliament come, the Lords that remained at Edinburgh took counsel not to go thither, but to send of their number one or two to protest against the lawfulnessse of it. The Earl of Montrose, and Lord Linde-say were chosen to that purpose, who coming to Striveling, shew the King the Noblemens excuse, and declared all they had in Commission to say; wishing his Majesty to prorogate the Parliament unto a better time, and make choice of a fitter place. But he resolved by the counsel of those that were present, to go on, and coming the next day, which was the 16th of July, to the great Hall, where the Estates were ad-vertised to meet, he made a short speech touching the liberty of Parliaments, and the necessity he had to keep one at that time, and in that place, assuring all per-sons who had any thing to move, or propone, that they should have free acceffe, and receive satisfaction according to Justice. After the King had closed his speech, the Earl of Montrose and Lord Linde-say arose, and in the name of the Council, and others of the Nobility adhering to them, protested against the lawfulnessse of the Parliament, in so far as it was kept within the Castle, whither they could not safe-ly repair, the same being in the enemies power. The King offended with the pro-tection, commanded them to keep their lodgings, and not to depart forth of Striveling without his licence: which the Lord Linde-say obeyed; but Montrose the next day early in the morning went away, and returned to Edinburgh, where it was given out. that he had brought from the King a secret direction to the Lords, to convene the subjects in Arms, and liberate him out of Mortons hands.

An. 1578.

An Ambassage to the Queen of England.

Jealousies among the Noblemen:

A Proclamation against the false rumors dispersed.

The Lords remaining at Edinburgh, protest against the holding of the Parliament.

Montrose and Linde-say charged to keep their lodgings for using the protestation.

Thereupon

An. 1578.

A Declaration
of the Lords
remaining at
Edinburgh.

Thereupon a Declaration was published, "bearing that his Majesty having assumed the government in his own person, because of the enormities committed in the time of *Mortons* Regiment, had appointed the Council to remain at *Edinburgh* for the better ministrations of Justice. And that by the care they took of affairs, all things had gone well, and peaceably, till *Morton* out of his ambitious desire to rule, did suborn some instruments to surprise the Kings house and person at *Striveling*, injuriously displace the Captain, and put his family and servants to the gates: Of which seditious enterprise, although he did pretend ignorance yet the progresse of his actions continually since that time, did shew that he was the chief plotter of that businesse; for after his coming to Court, and admission to be one of the Council, he had disordered all things, thralling the King so farre, that his best subjects could have no free access unto him, and usurping the jurisdiction of his Majesties ordinary Council in translating the Parliament from *Edinburgh* the principal City of the Realm, unto the Castle of *Striveling*. Like as to bear out his wicked and violent designs he had of late presumed to levie souldiers at the Kings cost and charge, intending thereby to maintain his usurped authority, and oppress his Majesties obedient and lawful subjects. In consideration of which abuses, and lest notorious presumptions should by their continual patience grow to a further height, they had resolved, laying aside all difficulties, to withstand the violences practised by him under the title of the Kings authority, and to hazard their goods, lives, and lands for the delivery of his Majesties person out of his thralldom; protesting that the inconveniences which should ensue upon the present troubles, should not be imputed to them, in as much as they were forced unto it for their own just and necessary defence, the restitution of their native Prince to liberty, and the delivering of the Church and Commonwealth from the Tyranny of such as have ever sought, and still do seek the ruin and overthrow of both.

Proclamations
to follow the
King or his
Lieutenant.

This declaration published, all parts of the Realm were in a commotion: Souldiers were levied on either side, Horse and Foot; and Proclamations sent to the Sheriffsdomes of *Edinburgh*, *Haddington*, *Linlithgow*, *Clackmannan*, *Kinross*, *Perth*, *Fife*, *Forfar*, *Lanark*, *Dumbarion*, and to the Bailleries of *Kyle*, and *Cunningham*, to prepare themselves with victuals for 15. days, and be in readinesse to follow the King or his Lieutenants upon six hours warning, as they should be directed. Herewith a Commission of Lieutenandry was given to the Earl of *Angus* for convocating the subjects, and pursuing the rebels who had usurped the Kings authority with all sort of rigour: charges were also directed to command the Earls of *Athol* and *Argile* to depart forth of *Edinburgh* within the space of 24. houres, and return to the places of their dwelling, under the pain of treason; the Magistrates of *Edinburgh* were enjoined to apprehend the persons that had taken Armes within their Town, and not to suffer any armed men to enter in the same, except such as should have direction from his Majesty. Which when the Provost (*Archibald Stewart*) came to excuse, as not being in the Towns power, to withstand the forces of the Noblemen, he himself was sent prisoner to the Castle of *Down*.

The Lords
charged to de-
part out of
Edinburgh.

The Provost
of *Edinburgh*
committed.

A Proclamati-
on for dissol-
ving the forces
convened at
Edinburgh.

The Parliament in this mean time went on, and all things proceeded therein as in a time of most secure peace. Upon their dissolving, when it was told the King that the Lords were gathering forces, and that they gave out the same to be done by warrant from him, he commanded by a new Proclamation, *all that were assembled in Armes, to separate and return to their dwellings within the space of six houres, promising pardon to such as obeyed.* And lest any should be deceived with the rumours of his captivity, and secret warrants from himself, he again declared, *That it was his own desire to remain at Striveling and be served by the Earl of Marre, with whom he knew his surety was greater, then if he should be at the devotion of those that caused the present troubles, whose meanings towards him could be no better then it had been in times past.* For the Warrants they pretended, he called God to witnesse, *that they had neither word nor writ from him; therefore willed all his good subjects to live quiet, and not to be misled by such false informations.* This Proclamation the Lords would not suffer to be published at *Edinburgh*, but making the greater expedition, drew together their

The Lords
march towards
Striveling.

their companies, and marched towards *Striveling*, the first night they camped at *Linlithgow*, and the day following having mustered their Army, which they found to be about 4000. they went to *Falkirk*. An. 1578.

The Earl of *Angus* as Lieutenant for the King, took the fields, and displaying the Royal Banner made towards them. In number he did not equall the others, but they were Gentlemen all, active, and resolute. Sir *Robert Bowes* the *English* Ambassadour, riding betwixt the Armies, travelled earnestly to bring them to an agreement, and by his intreaties, and the proponing of honourable conditions did keep them from joyning. In which time one *Tait* a follower of *Cesford*, who as then was of the Lords party, came forth in a bravery, and called to the opposite horsemen, asking if any among them had courage to break a lance for his Mistress; he was answered by one *Johnston* servant to the Master of *Glamis*, and his challenge accepted. The place chosen was a little plain at the river of *Carron*: on both sides whereof the horsemen stood spectators. At the first encounter *Tait* having his body pierced through, fell from his horse, and presently died. This was taken by those of *Mortons* side to be a presage of victory. But by the Ambassadors travails the parties were drawne to the conditions following.

1. That the forces on either side should presently separate, and a few horsemen only be retained upon his Majesties charges, who should be employed for quieting the borders, and not against the Lords convened at *Falkirk*, or their adherents in the present action. Conditions agreed upon.
2. That the proceedings of the Lords and other partakers with the Chancellour since the tenth of *July* last, should be allowed as good service done to the King, in respect his Majesty was assured of their good affection towards his own person.
3. That the Chancellour and Earl of *Argile* should have their lodging within the Castle of *Striveling*, with the like numbers that were permitted to other Noblemen.
4. That all the Noblemen, Barons, and other Gentlemen, who pleased to come unto the King, should be freely admitted to his presence, and have liberty to propone their own affairs.
5. That the Earl of *Montrose* and Lord *Lindesay* should be received in the number of the Council.
6. That the King calling to himself eight Noblemen, that is, four of each party, to be nominated by themselves, should consider the griefs and offences of either side, take order for removing the same, and make up a perfect reconciliation amongst the Nobility.
7. That the Commission of Lieutenantry granted to the Earl of *Angus*, should be discharged.
8. And last, that the Captains of the Castle of *Edinburgh* and *Dumbarton* should enjoy their offices, till the reconciliation intended was brought to an end.

These Articles being signed by the King, and subscribed by the principals of both parties, the accord and heads thereof were published at *Striveling* and *Falkirk* the fourteenth of *August*, upon which the Armies dissolved. No stirre in our memory was more happily pacified; for should it have come to the worst, as it was not far off, such was the heat and hate of both factions, that the mischief could not but have been great, which would have ensued. The Articles signed.

The place and time of the Noblemens meeting for considering the grievances of both parties, being left to the Kings appointing, because delay might breed greater difficulties, his Majesty did assign the 20. of *September* to meet at *Striveling*, whereof he caused the Ambassadour give the Chancellour notice, and to desire him to name the four Noblemen, whose advice he and the rest would use in that treaty. The Chancellour answered by letter, *That neither he nor Argile could agree to meet at Striveling, nor could they design the four Noblemen whom they would use, because death, sickness, and other accidents might hinder one, or more of them to convene, but if it should* The twentieth of September appointed for a meeting of Noblemen at Striveling. The Noblemen decline the meeting.

An. 1578.

The petitions
of the Chan-
cellour and the
Lords and
Gentlemen
adhering to
him.

The King of-
fended with
the petition.

The Noble-
men cited to
appear at
Striveling.

His Majesties
speech at the
meeting.

The Lords are
desired to set
down their
complaints in
writing.

should please the King to appoint the place of meeting at Edinburgh, about the end of November, they should keep the day, and for the present nominate ten, of which number they should choose some four at that time as arbiters for their party. The ten they named were the Earls of *Montrose* and *Cathnes*, the Lords *Lindesay*, *Maxwel*, *Hereis*, *Ogilvy*, and *Innermeath*, the Abbot of *Newbottle*, and the Laids of *Bargenny* and *Drumwhassil*. Herewith he desired three things to be granted; One was, that licence might be given to such an one as they would choose to pass into England: next, that they who were dispossessed of their places and offices since the tenth of July, might be restored; namely *Mr. Mark Ker*, sonne to the Abbot of *Newbottle*, *Master of Requests*, and *William Cunningham*, sonne to the Laird of *Drumwhassil*, Gentleman of the Kings Bedchamber: Thirdly, that none should be called in question for their absence upon the late Proclamations, seeing all they who came not to *Striveling*, must be understood to have been their adherents.

This answer communicated to the King, did highly offend him. First, that they should usurp the appointing of the time and place of meeting, which was left in his power: next, that they would presume to send a message into England, they being his subjects, and neither acquaint him with the person nor the message. For the other Petitions he judged them impertinent, and more fit to be proponed at the meeting of the Noblemen; wherefore in a letter sent by *Mr. William Areskin* to the Chancellour, he shewed that since they had delayed to nominate the four Noblemen, he himself would make choice of four of them, whose names they had given to the Ambassadour; to wit, the Lords *Lindesay*, *Ogilvy*, *Innermeath*, and *Hereis*; to whom he would joyn the Earls of *Rothes* and *Buchan*, with the Lords *Ruthven* and *Boyd*; and by their advice proceed in the reconciliation by him intended; which if they should refuse, he would notifie to the Queen of England and other Christian Princes, the care he had taken to perform all things, as they had been lately accorded.

To this letter no answer was given, but that they should advise with their friends, and afterwards signify their minds; wherewith the King being discontent, he summoned the Noblemen to meet at *Striveling* the 20. of September, warning all the subjects, whom that businesse concerned to addresse themselves thither against the day. At the day none of them appeared, and the more careful the King was to have peace made, the more they seemed to draw back, protracting time upon frivolous excuses; Wherefore the King for the last Diet appointed the 20. of October, which most of them kept. Being all assembled, the King spake to them to this effect. *Ye do all understand what an earnest desire I have that you should joyn in friendship one with another, which cannot be more contentment to me then it is benefit to your selves; although I have many occasions given me to fall from that desire, yet I abide in the same mind, and shall wish you to lay aside your needless jealousies and suspicions. For as to me I will study to be indifferent, and bestow my favours unpartially, and never repose my self upon any one so much as to deny others the regard which is due to them. Ye that are Noblemen have a special interest in me, and unlesse there be a correspondence of wills and mindes amongst you, I shall never find that concurrence that ought to be for mine honour and the good of the Common wealth. It is not long since, at your own desires I accepted the government of the Realm, being perswaded by you that this was the only way to cease all grudges, but now that I see them increased, it repents me to have yielded to your desires, and intangled my self in such businesse. What should let you to be reconciled, and become perfect friends, I know not: if there be any grief or offence that hath exasperated your minds, will ye shew it? I am here with the advice of my Lords to remove it, and see satisfaction made, by those that have done the wrong. I hope you do not carry mindes irreconcilable; ye professed that ye laid down Arms for the love ye bare to your King; by the same love I intreat you to lay aside jealousies, and suspicions, which ye will doubtlesse do except ye mind to expose your countrey and your selves to utter ruine.*

The Lords moved with this speech, professed themselves willing at his Majesties desire to bury all discords; and that their agreement might be the more sound, they were required to set down in writing the injuries, and unkindness whereof they complained, that satisfaction might be made at the sight of the King, and Noblemen whom he had named. Hereupon the Chancellour and *Argile* presented their

their grievances in some short Articles, bearing the unkindnesse they had received from the Earl of *Morton* in the time of his Regiment. Whereunto he answered, first generally, that what he did in that time was done by order of law, and that they themselves had allowed his proceedings, and were sureties for ratifying the same in Parliament. Then replying more particularly to every Article, he gave the King and other Noblemen full satisfaction, and made it seen, that on the part of the other Lords, there was a great mistaking: for what he did he could not leave undone, without a manifest violation of justice. "Yet for himself, he said, although he had been ill rewarded by them for his pains taken in the publick service, and received more unkindnesse at their hands, then he had deserved, he would freely remit all at the Kings desire. After some days spent in such reckonings, they were brought in end to joyn hands.

An. 1578.

The Lords reconciled.

During these contentions in the State, Mr. *Andrew Melvil* held the Church busied with the matter of policy which was put in form, and presented to the Parliament at their sitting in *Striveling*. The Estates having no leisure to peruse it, gave a Commission to divers of their number to meet and conferre with the Commissioners of the Church; and if they did agree to insert the same among the Acts of Parliament. How these affairs went, and what effect the Commission took, because of the great businesse, that afterwards was made about the same, is necessary to be known; wherefore I thought meet to set down the form of policy, as it was presented, with the notes of their agreement and disagreement, as they stand in the Original, which I have by me.

A form of Church-policy presented to the Parliament, and remitted to certain Commissioners.

Heads and conclusions of the Church, and first of the Policy thereof in general, wherein it differeth from Civil.

First, the Church of God is sometimes largely taken for all them that professe the Evangel of *Jesus Christ*, and so it is a company and fellowship, not only of the godly, but also hypocrites, professing outwardly one true Religion. 1. Agreed.

2. At other times it is taken for the elect only, and the godly; and sometimes for them that exercise the spiritual function amongst the congregation of them that professe the truth. 2. Agreed.

3. The Church in this last sense hath a certain power granted by God, according to which it useth a proper jurisdiction and government, exercised to the comfort of the whole Church. 3. Agreed that the Church is sometimes taken for them that exercise the spiritual function in particular congregations.

4. This power Ecclesiastical is an authority granted by God the Father, through the mediation of *Jesus Christ*, unto his Church gathered, and having the ground in the word of God, to be put in execution by them, unto whom the spiritual government of the Church by lawful calling is committed. 4. Continued to further reasoning, and when it is said this power sheweth from God to his Church, whether this should be understood of the whole Church, or of the office-bearers, and wheither it sheweth mediately, or immediately.

5. The policy of the Church flowing from this power is an order or form of spiritual government, which is exercised by the members appointed thereto by the word of God; and therefore is given immediately to the Office-bearer, by whom it is exercised to the weal of the whole body. 5. Referred to further reasoning.

6. This power is diversly used, for sometime it is severally exercised (chiefly by the teachers) sometime conjunctly by mutual consent of them that bare office and charge, after the form of judgement; the former is called *potestas Ordinis*, the other *potestas Jurisdictionis*. 6. The last words of the Article are thought not necessary, and therefore to be delete.

7. These two kinds of power have both one ground, one final cause, but are different in the form and manner of execution, as is evident by the speech of our Saviour in the 16th and 18th of *S. Matthew*. 7. Agreed.

8. This power and policy is different and distinct in the own nature, from that power and policy, which is called the Civil power; and appertains to the civil government of the Commonwealth, albeit they be both of God, and tend to one end, if they be rightly used, that is, to advance the glory of God, and to have godly and good subjects. 8. Agreed.

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9. Say in stead hereof, For his power is spiritual, not having deleting the other words.

10. Agreed.

11. Agreed.

12. Agreed changing these word, they should not be called Lords over their flock.

13. Change the last words of Ecclesiastical government, and Ecclesiastical discipline, according to the word of God.

14. Referred to further reasoning, when the order of Bishops shall be discussed.

15. Referred till they come to the attribution of the power.

16. Agreed as the words are conceived.

17. Differreth this to be resolved with the 15.

18. Referred.

19.

20. Agreed that neither ought the Magistrate preach, nor minister the Sacraments, nor execute the censures of the Church, which is to be understood of excommunication, and referreth the second part of this Article to further reasoning.

21. Referred.

22. Referred.

9. For this power Ecclesiastical floweth from God immediately, and the mediator *Iesus Christ*, and is spiritual, not having a temporal head in the earth, but only *Christ*, the onely spiritual King, and Governour of the Church.

10. It is a title falsely usurped by Antichrist to call himself the head of the Church, and ought not to be attributed to Angel or to man, of what estate soever he be, saving to Christ the head, and only Monarch of the Church.

11. Therefore this power and policy of the Church should lean upon the Word immediately, as the only ground thereof, and should be taken from the pure fountains of the Scriptures, hearing the voice of *Christ* the onely spiritual King, and being ruled by his lawes.

12. It is proper to Kings, Princes, and Magistrates, to be called Lords and Dominators over their subjects, whom they govern civilly; but it is proper to *Christ* only to be called Lord and Master in the spiritual government of the Church, and all others that bear office therein, ought not to usurp dominion, nor be called Lords, but Ministers Disciples, and servants: for it is proper to *Christ's* office to command, and rule his Church universally, and every particular Church, through his Spirit and Word, by the ministry of men.

13. Notwithstanding as the Ministers and others of the Ecclesiastical state, are subject to the Magistrate civilly: so ought the person of the Magistrate be subject to the Church spiritually, and in Ecclesiastical government.

14. And the exercise of both these jurisdictions cannot stand in one person ordinarily.

15. The Civil power is called the power of the Sword, the other power, the power of the Keys.

16. The Civil power should command the spiritual to exercise and to do their office according to the word of God; the spiritual rulers should require the Christian Magistrate to minister Justice, and punish vice, and to maintain the liberty of the Church, and quietnesse within their bounds.

17. The Magistrate commands in things external for external peace and quietnesse among the subjects, the Minister handleth external things onely for conscience cause.

18. The Magistrate external things only, and actions done before men; but the spiritual ruler judges both the affection and the external actions, in respect of conscience, by the word of God.

19. The Civil Magistrate getteth obedience by the sword, and other external means, but the Minister by the spiritual sword, and spiritual means.

20. The Magistrate ought neither preach, minister the Sacraments, nor execute the censures of the Church, nor yet prescribe any rule how it should be done, but command the Minister to observe the rule prescribed in the Word, and punish transgressors by civil means; the Minister again exercises not the civil jurisdiction, but teaches the Magistrate how it should be exercised according to the Word.

21. The Magistrate ought to assist, maintain, and fortify the jurisdiction of the Church, the Ministers should assist their Princes in all things agreeable to the Word, providing they neglect not their charge in involving themselves in civil affaires.

22. Finally, as Ministers are subject to the judgement and punishment of Magistrates in external things, if they offend: so ought the Magistrates submit themselves to the discipline of the Church, if they transgresse in matter of conscience, and Religion.

CHAP. 2. *Of the parts of policy of the Church, and persons, or Office-bearers to whom the administration is committed.*

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First, as in the policy Civil, the whole Commonwealth consists in them that are Governours or Magistrates, and them that are governed, and subjects; so in the policy of the Church, some are appointed to be rulers, and the rest of the members are to be ruled, and obey according to Gods word, and the inspiration of his Spirit alwayes under one Head, and chief Governour Jesus Christ.

1. The name of the Church in this Article is taken for the Church in the first signification, to wit for the whole Church. Agreed with the rest of the Articles.

2. Again, the whole policy of the Church consists in three things, chiefly in doctrine, discipline and distribution; With doctrine is annexed the ministration of the Sacraments.

2. Referred.

3. And according to this division arises a sort of threefold Officers in the Church; to wit, Ministers or Preachers, Elders or Governours, and Deacons or Distributers: and all these may be called by one general word, Ministers of the Church.

3. Referred.

4. For albeit the Church of God be ruled and governed by Jesus Christ, who is the onely King, high Priest, and Head thereof; yet he useth the ministry of men, as a necessary mides for this purpose.

4. Referred.

5. For so he hath from time to time, before the Law, under the Law, and in the time of the Evangel, for our great comfort, raised up men indowed with the gifts of his Spirit for the spiritual government of his Church, exercising by them his power through his Spirit and Word, to the building of the same.

5. Referred.

6. And to take away all occasion of Tyranny, he wills that they should rule with mutual consent of brethren, and equality of power, every one according to their functions.

6. Referred to reasoning of the head of Visitors.

7. In the New Testament, and time of the Evangel he hath used the Ministry of the Apostles, Prophets, Evangelists, Pastors, and Doctors, in administration of the Word: The eldership for good order, and administration of discipline: The Deaconship to have the care of Ecclesiastical goods.

7. Referred.

8. Some of these Ecclesiastical functions are ordinary, some extraordinary, or temporal; the extraordinary, are the Apostles, Prophets, and Evangelists, which are not perpetual, and now have ceased in the Church, except when it pleases God extraordinarily for a time to stirre up some of them again.

8. Referred.

9. There are four ordinary offices or functions in the Church of God, the Pastor, Minister or Bishop, the Doctor, the Presbyter or Elder, and the Deacon.

9. Referred.

10. These Offices are ordinary, and ought to continue perpetually in the Church as necessary for the government and policy of the same, and no mo offices ought to be received, or suffered in the true Church of God, established by his Word.

10. Referred.

11. Therefore all the ambitious titles invented in the Kingdom of Antichrist, and his usurped Hierarchy, which are not one of those four sorts, together with the offices depending thereupon, ought in one word to be rejected.

11. Referred.

CHAP. 3. *How the persons that bear Ecclesiastical functions, are admitted to their Offices.*

First, Vocation or Calling is common to all that should bear office in the Church, which is a lawful way by which qualified persons are promoted to any special office in the Church of God.

1. Agreed.

2. Without this calling it was never lawful for any person to meddle with any Ecclesiastical function.

2. Agreed.

3. There are two sorts of Calling, one extraordinary by God immediately, as were the Apostles and Prophets, which within a Church already well established, hath no place.

3. Agreed.

4. The other calling is ordinary, which beside the calling of God, and the in-

4. Agreed.

- An. 1578.* ward testimony of a good conscience, hath the lawful approbation of men according to Gods word, and the order established in the Church.
5. Agreed. 5. None ought to presume to enter in any office Ecclesiastical, unlesse he have a good testimony in his conscience before God, who onely knoweth the hearts of men
6. 6. This ordinary and outward calling hath two parts, Election, and Ordination.
7. Referred. 7. Election is the choosing out of one man or person to the office that is voyd, by the judgement of the Eldership, and consent of the congregation, to whom the person presented is to be appointed.
8. Agreed with the generality hereof. 8. The qualities in general required in all them who should have charge in the Church, consist in soundnesse of Religion and godlinesse of life, according as they are set forth in the Word.
9. Agreed. 9. In this ordinary election it is to be eschewed, that no person be intruded in any of the offices of the Church contrary to the will of the congregation to whom they are appointed, or without the voice of the Eldership.
10. None ought to be intruded or placed in the ministry in places already planted, or in any room that is not void, for any worldly respect; and that which is called, the benefice, ought to be nothing but the stipend of the Minister, who is lawfully called.
11. Agreed. 11. Ordination is the separation and sanctifying of the person appointed by God and his Church, after that he is well tried, and found qualified.
12. Agreed. 12. The ceremonies of Ordination are fasting, prayer, and imposition of hands of the Eldership.
13. Agreed. 13. All these as they must be raised up by God, and made able for the work whereunto they are called, so they ought know, that their message is limited within Gods word.
14. Agreed. 14. These should take the names and titles only (lest they be exalted and puffed up in themselves) which the Scripture gives them, as these which import labour, travel, and work, and are names of offices and service, and not of idlenesse, dignity, worldly honour, or preheminance, which by Christ our Master is expressly reprov'd and forbidden.
15. Agreed. 15. All these office bearers should have their own particular flocks, amongst whom they ought to exerce their charge, and should make residence with them, taking inspection and oversight of them every one in his vocation.
16. Agreed. 16. And generally ought to respect two things; that is, the glory of God, and edifying of his Church, by discharging their duties in their callings.

CHAP. 4. *Of the Office-bearers in particular, and first of the Pastors and Ministers.*

1. Agreed, saving the word Bishop, is referred to the place of Visitation. 1. PASTORS, Bishops, or Ministers are they who are appointed to particular congregations, which they rule by the word of God, and over which they watch; in respect whereof sometime they are called Pastors, because they feed their congregation; sometime *Episcopi* or Bishops, because they watch over their flock; sometime Ministers, by reason of their service and office; sometime also Presbyters or Seniors for the gravity in manners which they ought to have, taking care of the spiritual government, which ought to be most dear unto them.
2. Agreed. 2. They that are called the Ministry, or offer themselves thereto, ought not to be elected without one certain flock to be assigned to them.
3. Agreed. 3. No man ought to ingyre himself, or usurp this office without a lawful calling.
4. Agreed. 4. They who are once called of God, and duly elected by men, having once accepted the charge of the Ministry, may not leave their functions; and the desertors ought to be admonished, and in case of disobedience excommunicated.
5. Referred. 5. No Pastor may leave his flock without licence of the Provincial Assembly; which if he do, after admonition not obeyed, let the censures of the Church strike upon him.

6. To the Pastor belongeth the preaching of the word of God, in season and out of season, publickly and privately, always to edify and discharge his conscience, as God hath prescribed. And unto them only appertains the ministration of the Sacraments, for both these are appointed by the word of God as means to teach us, the one by the ear, and the other by the eys and other senses, that by both knowledge may be conveyed to the mind.

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6. Agreed.

7. By the same reason it pertains to Pastors to pray for the people, and namely for the flock committed to their charge, and to bless them in the name of God, who will not suffer the blessings of his faithful servants to be frustrate.

7. Agreed.

8. He ought also to watch over the manners of his flock, that he may the better apply his doctrine to them, in reprehending the dissolute, and exhorting the godly, to continue in the fear of the Lord.

8. Agreed.

9. It appertains to the Minister, after lawful proceeding of the Eldership, to pronounce the sentence of binding and loosing upon any person, according to the power of the keyes granted to the Church.

9. Agreed, that the Minister of the Word may pronounce the sentence of excommunication, after lawful proceeding.

10. It belongs to him likewise after lawful proceeding in the matter by the Eldership, to solemnize marriage betwixt those that are contracted, and to pronounce the blessing of the Lord upon them that enter in that bond, in the fear of God. And generally, all publick denunciations that are made in the Church before the congregation concerning Ecclesiastical affairs, belong to the Ministers office, for he is the messenger and herault betwixt God and the people in all these affairs.

10. Agreed with the present orders concerning marriage.

CHAP. 5. *Of Doctors and their Offices, and of Schools.*

1. **O**ne of the two ordinary and perpetual functions that labour in the Word, is the office of Doctor, who may also be called Prophet, Bishop, Elder, and Catechiser, that is, the teacher of the Catechisme, and rudiments of the Religion.

This whole Chapter referred to further reasoning.

2. His office is to open up the mind of the Spirit of God in the Scriptures simply, without such application as the Minister uses, to the end that the faithful may be instructed in sound doctrine, the purity of the Gospel taught, and not corrupted through ignorant or evil opinions.

3. He is different from the Pastor, not onely in name, but in diversity of gifts; for to the Doctor is given the gift of knowledge, to open up by simple teaching the mysteries of faith; to the Pastor the gift of wisdom, to apply the same by exhortation to the manners of the flock, as occasion craves.

4. Under the name and office of Doctor, we comprehend also the order in Schooles, Colledges, and Universities, which have from time to time been carefully maintained, as well amongst Jewes, and Christians, as among profane nations.

5. The Doctor being an Elder, should assist the Pastor in the government of the Church, and concur with the Elders his brethren in all Assemblies, by reason the interpretation of the Word, which is only judged in matters Ecclesiastical, is committed to his charge.

6. But to preach unto the people, to minister the Sacraments, and celebrate Marriages, pertains not to the Doctor, unlesse he be otherwise called ordinarily; yet may the Pastor teach in Schooles, as he who hath the gift of knowledge oftentimes, which the example of *Polycarpus* and others testify.

CHAP. 6. *The Elders and their Office.*

1. **T**he word Elder in the Scripture, is sometime the name of Age, sometime the name of Office; and when it hath the name of office is sometimes taken largely, comprehending as well the Pastors, and Doctors, as these who are called Seniors, or Elders.

1. Passed over.

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2. Agreed, that
name of Elders
be joyned with
Ministers.

3. The perpetuity of
Elders referred
to further
deliberation.

4. Agreed.

5. Referred.

6. Referred.

7. Agreed.

8. Agreed.

9. Agreed.

10. Agreed.

11. Agreed.

12. Agreed.

13. Agreed.

2. In our division, we call these Elders, whom the Apostle calleth Presidents, or Governours, whose office as it is ordinary, so it is perpetual, and alwayes necessary in the Church of God, and a special function, as is the Ministry.

3. Elders once lawfully called to the office, and having gifts of God fit to exercise the same, may not leave it again; yet such a number of Elders may be chosen in certain congregations, as one part may relieve another for a reasonable space, as was amongst the *Levites* under the Law, in serving the Temple.

4. The number of Elders in every congregation cannot be limited, but should be according to the bounds and necessity of the people.

5. It is not necessary, that all Elders be teachers of the word, albeit chiefly they ought to be such, and so worthy of double honour.

6. What manner of persons they ought to be, we remit it to the expresse word, and the Canons set down by the Apostle *S. Paul*.

7. Their office is as well severally as conjunctly, to watch with diligence over the flock committed to their charge, both publickly and privately, that no corruption of Religion or manners grow amongst them.

8. As the Pastors and Doctors should be diligent in teaching and sowing the seed of the Word, so the Elders should be careful in seeking the fruits of the same among the people.

9. It pertains to them to assist the Pastor, in examining those that come to the Lords table, and in visiting the sick.

10. They should cause the Acts of the Assemblies, as well particular as general, to be put carefully in execution.

11. They should be diligent in admonishing all men of their duties, according to the rule of the Word.

12. Things that they cannot correct by private admonitions they should bring to the Elderhip.

13. Their principal office is to hold Assemblies with the Pastors and Doctors, who are also of their number for establishing good order and execution of discipline, unto which Assemblies all persons are subject that remain within the bounds.

CHAP. 7. Of Elderships and Assemblies and Discipline.

1. Agreed that Ministers and Elders may judge spiritual things within their owne bounds.

2. Agreed.

3. Agreed that Synods be kept twice in the year, by him that hath the charge of visitation.

4. General Assemblies once yearly, his Majesties authority being interponed, and from the General Assembly, Noblemen, and such as please to come, shall not be excluded, providing that fifteen onely, with his Majesties Commissioner, have voice therein.

5. Agreed.

6. Agreed.

7. Agreed.

1. Elderships are commonly constitute of Pastors, Doctors, and such as we call commonly Elders that labour not in the Word and doctrine, of whom, and of their power we have spoken.

2. Assemblies are of foure sorts, for either they are of a particular congregation, or of a Province, or of a whole Nation, or of all; and divers Christian Nations.

3. All Ecclesiastical Assemblies have power to convene lawfully together, for treating of things concerning the Churches pertaining to their charge:

4. They have power to appoint times and places to that effect, and every Assembly to appoint the Diet, time and place for another.

5. In all Assemblies a Moderator should be chosen by common consent of the whole brethren convened; who should propone matters, gather voices, and cause good order to be kept.

6. Diligence ought to be taken chiefly by the Moderator, that onely Ecclesiastical things be handled in the Assemblies, and no meddling be with any thing pertaining to civil jurisdiction.

7. Every Assembly hath power to send forth of their own number, one or more Visitours to see how all things are ruled in their jurisdiction.

8. Visitation

8. Visitation of Churches is not an ordinary office Ecclesiastical in the person of one man, neither may the name of a Bishop be attributed to a Visitor only; neither is it necessary to abide in the person of one man always, but it is the power of the Eldership to send out qualified persons to visit *pro re nata*.

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8. Differed to the head of Bishops, and their Reformation.
9. Agreed.

9. The final end of all Assemblies is first to keep the Religion and Doctrine in purity without error and corruption; next to keep comeliness and good order in the Church.

10. For this orders cause, they may make rules and constitutions pertaining to the good behaviour of all the members in the Church in their vocation.

10. Agreed, joyning in the end of the Article these words, or spiritual things only.

11. They have power also to abrogate and abolish all Statutes and Ordinances concerning Ecclesiastical matters, that are found noysome and unprofitable, and agree not with the time, or are abused by the people.

11. Agreed, that as they make Acts in spiritual things, so they may alter the same as the necessity of time requires.

12. They have power to execute discipline, and punishment Ecclesiastical upon all transgressors, and proud contemners of the good order and policy of the Church, so as the whole discipline is in their hands.

12. Referred.

13. The first sort and kind of Assemblies, although they be within particular congregations, yet they exerce the power, authority, and jurisdiction of the Church with mutual consent, and therefore bear some time the name of the Church.

13. Referred.

14. When we speak of Elders of particular congregations, we mean not that every particular Parish Church can, or may have their particular Elderships, especially to Landwart; but we think three or four, mo, or fewer particular Churches, may have a common Eldership to them all, to judge their Ecclesiastical causes.

14. Referred.

15. Albeit it is meet, that some of the Elders be chosen out of every particular congregation, to concur with the rest of their brethren in the common Assemblies, and to take up the delation of offences within their own Churches, and bring them to the Assembly.

15. Referred.

16. This we gather of the practice of the primitive Church, where Elders, or Colledges of Seniors, were constitute in cities and famous places.

16. Referred.

17. The power of the particular Eldership, is to give diligent labour in the bounds committed to their charge, that the Churches be kept in good order: to inquire of naughty and unruly persons, and travel to bring the way again, either by admonition and threatening of Gods judgements, or by correction.

17. Referred.

18. It pertains to the Eldership to take heed that the word of God be purely preached within their bounds, the Sacraments rightly ministred, discipline maintained, and the Ecclesiastical goods uncorruptly distributed.

18. Referred.

19. It belongs to this kind of Assembly, to cause the Ordinances made by the Assemblies Provincial, National, and General, to be kept and put in execution. To make constitutions which concern *το ὀρέπον* for the decent order of these particular Churches, which they govern; providing they alter no rules made by the Provincial and general Assemblies. And that they make the Provincial Assemblies foreseen of those rules they make, and to abolish such constitutions as tend to the hurt of the same.

19. Referred.

20. It hath power to excommunicate the obstinate.

20. Referred.

21. The power of election of them, who bear Ecclesiastical charge, pertains to this Assembly within their own bounds, be well constitute, and erected of many Pastors and Elders of good ability.

21. Referred.

22. By the like reason their deposition also pertains to this Assembly, as of them that teach erroneous doctrine, that be of a scandalous life, and after admonition desist not, that be given to schisme or rebellion against the Church, manifest blasphemy, simony, and all corruption of bribes, falshood, perjury, whoredom, theft, drunkenness, fighting worthy of punishment by the law, usury, dancing, and such dissoluteness, as imports civil infamy: And all other that deserve separation from the Church.

22. Referred.

23. These also who are altogether found unable to execute their charge ought

23. Referred.

- An. 1578.* to be deposed, and other Churches advertised thereof, lest they receive the persons deposed.
24. But they who through age or sickness, or any other accident become unmeet to do their office, their honour should remain to them, and others be provided to their office, the Church maintaining those who are by that occasion disabled.
25. Referred. 25. Provincial Assemblies we call lawful Conventions of the Pastors, Doctors, and other Elders of any Province gathered for the common affairs of the Churches thereof, which may also be called the conference of the Church and brethren.
26. Referred. 26. These Assemblies are institute of weighty matters to be intreated by mutual consent, and assistance of the brethren within the Province, if need be.
27. Referred. 27. This Assembly hath power to redresse, order, and handle all things committed or done amiss in the particular Assemblies.
28. Referred. 28. It hath power to depose the Office-bearers of that Province for good and just causes deserving deprivation. And generally these Assemblies have the whole power of the particular elderships whereof they are collected.
29. Referred. 29. National Assembly which we call general, is a lawful Convention of the whole Church of the Realm or Nation where it is gathered, for the common affairs of the Church, and may be called the general Eldership of the whole Church within the Realm.
30. Passed over. 30. None are subject to repair unto this Assembly for giving voice but Ecclesiastical persons; to such a number, as shall be thought good by the same Assembly; not excluding other persons that will repair to it for propounding, hearing, and reasoning.
31. Answered before. 31. This Assembly is institute, that all that is either committed, or done amiss in the Provincial Assemblies, may be redressed, and things generally serving for the good of the whole body of the Church within the Realm, may be foreseen, intreated and set forth to Gods glory.
32. The last part of the Article referred to the heads of Bishops. 32. It should take care that Churches be planted in places where they are not planted; and prescribe a rule for the proceeding of the other two sorts of Assemblies in all things.
33. Differred. 33. This Assembly should take heed that the spiritual jurisdiction and civil be not confounded nor abused, and generally towards all weighty affairs that concern the good order of the Churches within the Realm, it ought to interpose authority thereto.
34. Agreed in spiritual matters. 34. There is besides these another more general Assembly which is of all Nations, and of all estates of persons within the Church, representing the universal Church of Christ, which may be properly called the general Assembly, or general Council of the whole Church of God.
35. Referred. 35. These Assemblies were appointed and called together, specially when any great schisme or controversie in doctrine did arise in the Church, and were convoked at the command of godly Emperors, being for the time, for avoiding of schismes within the universal Church of God, which because they pertain not to the particular state of our Realm, we passe by.

CHAP. 8. *Of Deacons and their office, the last ordinary function in the Church.*

1. The Chapter of Deacons and Patrimony of the Church, are thought to be suppressed till the head of corruptions be reasoned. 1. THE word *διάκονος* is sometimes largely taken as comprehending all them that bear office in the Ministry, and spiritual function in the Church, but as we now speak, is only taken for them, to whom the collection and distribution of Almes of the faithful, and Ecclesiastical goods do belong.
2. The office of Deacon so taken, is an ordinary and perpetual function in the Church, of what properties and duties they ought to be that are called thereto, we remit to the Scriptures.
3. The Deacon ought to be called and elected as the rest of the spiritual officers, and their office and power is to receive and distribute the whole Ecclesiastical goods to whom they are appointed.
4. This

4. This they ought to do according to the judgement and appointment of the Presbyteries, or Elderships, of the which the Deacons are not, that the patrimony of the Church and poor be not converted to private mens uses, nor wrongfully distributed. *An. 1578.*

CHAP. 9. *Of the Patrimony of the Church, and distribution thereof.*

1. **B**Y the Patrimony of the Church, we understand whatsoever thing hath been at any time before, or shall be hereafter given, or by universal consent or custome of countries professing christian Religion applied to the publick use, and utility of the Church.

2. So that under the Patrimony of the Church we comprehend all things given or to be given to the Church and service of God, as lands, buildings, possessions, annual rents, and the like, wherewith the Church is endowed, either by donations, foundations, mortifications, or any other lawful titles of Kings, Princes, or any other persons inferiour to them, together with the continual oblations of the faithful.

3. We comprehend also all such things, as by lawes, customes, or use of countries hath been applied to use, and utility of the Church: of which sort are tithes, Manfes, gleibs, and the like; which by the common and municipal lawes, and universal custome are possessed by the Church.

4. To take any part of this Patrimony by unlawful means, and convert to the particular and prophane use of any person, we hold a detestable sacrilege before God.

5. The goods Ecclesiastical ought to be collected and distributed by Deacons, as the word of God appoints, that they who bear office in the Church, may be provided for without care, or solicitude.

6. In the Apostolick Church the Deacons were appointed to collect and distribute, whatsoever was collected of the faithful, to the necessity of the Saints, so as none amongst them did want.

7. These collections were not only of that which was gathered by way of Alms, as some suppose, but of other goods moveable and unmoveable, of lands, and possessions; the price whereof was brought and laid at the Apostles feet.

8. This office continued in the Deacons hands, who intromitted with the whole goods of the Church, till the estate thereof was corrupted by Antichrist, as the ancient Canons bear witnesse.

9. The same Canons make mention of a fourfold distribution of the Patrimony of the Church, whereof one part was applied to the Pastor, or for his sustentation and hospitality; another to the Elders and Deacons, and the whole Clergy; the third to the poor, sick persons, and strangers; and the fourth to uphold the edifice of the Church, and other affairs specially extraordinary.

10. We adde hereunto the Schooles, and Schoolmasters, who ought and may well be sustained of the same goods, and are comprehended under the Clergy; To whom we joyn Clerks of Assemblies, as well particular as general; Procurators of the Church affairs, takers up of Psalmes, and other officers of the Church, who are necessary.

CHAP. 10. *Of the offices of a Christian Magistrate in the Church.*

1. **A**Lthough all members of the Church are holden according to their vocation, to advance the Kingdome of *Christ Jesus*, so farre as lies in their power; yet chiefly christian Princes, Kings, and other Magistrates are holden to do the same, for they are called in the Scripture, *Nurses of the Church*; because by them it is, or at least ought to be maintained and defended, against all those that would procure the hurt thereof.

2. So it pertains to the office of a christian Magistrate, to fortify and assist the godly proceedings of the Church, and namely to see that the publick estate and ministry

1. For this whole Chapter it is thought meet, that an Article be presented to his Majesty, and Estates, craving a punishment to be appointed for those that put violent hands in Ministers, and likewise to desire such immunities and privileges to them, as shall be thought convenient.

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3. To see that the Church be not invaded, or hurt by false teachers, and hirelings, nor the roomes thereof occupied by dumb dogs or idle bellies.

4. To assist and maintain the discipline of the Church, and punish them civilly, that will not obey their censures, without confounding the one jurisdiction with the other.

5. To see that sufficient provision be made for the Ministry, Schools, and poor, and if they have not sufficient to await upon their charges, to supply their indigence with their own rents.

6. To hold hand as well to the safety of the persons from injury and open violence, and their rents and possessions; that they be not defrauded, robbed, and spoiled thereof; and not to suffer the Patrimony of the Church to be applied to profane and unlawful uses, or to be devoured by idle bellies, and such as have no lawful function in the Church, to the hurt of the Ministry, Schools, poor, and other godly uses, upon which the same ought to be bestowed.

7. To make laws and constitutions agreeable to Gods word for the advancement of the Church, and policy thereof; without usurping any thing that pertains not to the Civil sword, but belongs to the offices meerly Ecclesiastical, as the ministry of the Word, Sacraments, or using the Ecclesiastical discipline, and spiritual execution thereof, or any part of the spiritual keys, which the Lord *Jesus* gave to the Apostles, and their true successours.

8. And although Kings and Princes that be godly, sometime by their own authority, when Churches are corrupted, and all things out of order, do place Ministers. and restore the true service of God, after the ensample of some godly Kings of *Judah*, and divers godly Emperours and Kings also, in the dayes of the New Testament: yet where the ministry of the Church is once well constitute, and they that are placed, do their office faithfully; all godly Princes and Magistrates ought to hear and obey their voice, and reverence the Majesty of God speaking by them.

CHAP. II. Of the present abuses remaining in the Church which are desired to be reformed.

1. **A**S it is the duty of the godly Magistrate to maintain the present liberty which God hath granted by preaching of the Word, and the true ministration of the Sacraments within this Realm; so it is to provide that all abuses, which as yet remain in the Church, be removed and taken away.

2. Therefore first the admission of men to Papistical titles of Benefices, such as serve not nor have any function in the reformed Church of *Christ*, as Abbots, Commendators, Priors, Prioresses, and other titles of Abbeys, whose places are now by the just judgement of God demolished, and purged of idolatry, is plain abusion, and not to be received in the Kingdom of *Christ* amongst us.

3. Let his Majesty and Estates be supplicated for dissolving these Prelacies, that Ministers may be provided to the several Churches, at least after the death of the present possessors.

4. Passed over.

5. Passed over.

3. In like manner, seeing they that were called of old the Chaptors, and Convents of Abbeys, Cathedral Churches, and the like places, serve for nothing now, but to set Fewes, and Leases of Church lands, (if any be left) and Tithes, to the hurt and prejudice thereof, as daily experience teaches, the same ought to be utterly abolished and abrogated.

4. Of the like nature are the Deanes, Archdeacons, Chantors, Subchantors, Theaurers, Chancellors and others, having the like titles which flowed from the Pope and Canon law only, and have no place in the reformed Church.

5. The Churches also which are united and joyned together by annexation to Benefices, ought to be separated and divided, and given to qualified Ministers, as Gods word requires: neither ought such abusers of the Patrimony of the Church, have voice in Parliament, nor sit in Council in name of the Church, and Churchmen, to the hurt and prejudice of the liberty thereof, and lawes of the Realm, made in favours of the Reformed Church.

6. Answered by the act of dissolution.

6. Much lesse is it lawful that one person amongst these should have five or six, ten or twenty Churches, all having the cure of soules, and enjoy the Patrimony thereof;

thereof; either by admission of the Prince, or of the Church in this light of the Gospel: for it is but mockery to crave reformation, where the like have place. *An. 1578.*

7. And albeit it was thought good for avoyding greater inconveniences, that the old possessors of such benefices who imbraced the Religion, should enjoy by permission the two parts of the rents which they possessed before, during their life time; yet it is not tolerable to continue in the like abuse, to give these places, and other benefices of new to men as unmeet, or rather unmeeter, who have no mind to serve in the Church, but live an idle life as others did, who enjoyed the same in time of blindness. *7. An Act to be sought for disposing these united Churches to Ministers after decrease of the present possessors.*

8. And whereas by the order taken at *Leith 1571.* it appears that such may be admitted, being found qualified, either that pretended order is against all good order, or else it must be understood, not of them that are qualified for worldly affairs, or to serve in Court; but such as are qualified to teach Gods word, and have their lawful admission of the Church. *8. Referred.*

9. As to Bishops, if the name be properly taken, it is all one with the name of Minister, as was declared; for it is not the name of superiority or Lordship, but of office and watching. Yet because in the corruption of the Church this name hath been abused, and is like to be, we cannot allow this fashion of these new chosen Bishops, nor of the Chaptors, that are their electors to such in office. *6. The last part of the Article differed.*

10. True Bishops should addiect themselves to one particular flock, which divers of them refuse, neither should they usurp Lordship over their brethren, and the inheritance of *Christ.* *10. Agreed that Bishops have a particular flock.*

11. Pastors, in so farre as they Pastors, have not the visitation of mo Churches, joyned to the Pastorship, unlesse it be committed to them. *11, & 12. Let the Diocese be divided in such sort as a man may reasonably visit, and for the perpetuity of Visitors, it is referred to further reasoning.*

12. It is a corruption that Bishops should have further bounds to visit, then they may conveniently overtake; neither ought any man to have the visitation of Churches, but he that is chosen by the Presbytery. *13. Passed over.*

13. The Elderships well established, have power to send out Visitors with Commission to visit the bounds within their Eldership, and after accompt taken, be either continued or changed from time to time, being subject alwayes to their Elderships. *14. Agreed.*

14. The criminal jurisdiction in the person of a Pastor, is a corruption. *15. Passed over.*

15. It agrees not with the word of God, that Bishops should be Pastors of Pastors, or Pastors of many flocks, and yet be without a certain flock, and no ordinary teacher; nor doth it agree with the Scripture, that they should be exeemed from the correction of their brethren, and the discipline of the particular elderships of the Church, where they shall serve; neither that they usurp the office of visitation of other Churches, nor any other function, besides that of other Ministers, unlesse the same be committed to them by the Church.

16. Heretofore we desire the Bishops that now are, either to agree to that order which Gods word requires, and not to passe the bounds prescribed by the general Church, either in Civil or Ecclesiastical affairs, or to be deposed from all function in the Church. *16. Passed over.*

17. We deny not in the mean time that Ministers may, and should assist their Princes when they are required, in all things agreeable to the word of God, whether it be in Council or Parliament, or out of Council: providing alwayes they neither neglect their own charges, nor through flattery of Princes hurt the publick estate of the Church. *17. Agreed.*

18. But generally we say, that no Pastor under whatsoever title of the Church, and specially the abused titles in Popery, of Prelates, Chaptors, and Convents, ought to attempt any thing in the Churches name; either in Parliament, or out of Council, without the Commission of the Reformed Church within this Realm. *18. Referred.*

19. It is provided by Act of Parliament, that the Papistical Church and jurisdiction shall have no place within the Realm, and that no Bishop, nor Prelate should use any jurisdiction in time coming, flowing from the Popes authority: And likewise that no other Ecclesiastical jurisdiction should be acknowledged within this Realm, but that which is, and shall be in the Reformed Church, and flowing *19. Agreed, that an Act be made that none hurt or diminish the patrimony of the Church.*

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5. Agreed.

flowing from the same. And such we esteem the Chapters holden in Papistical manner, either of Cathedral Churches, Abbeyes, Colledges, or other conventual places, usurping the name and authority of the Church, to hurt the Patrimony thereof; or use any other Act to the prejudice of the same since the year 1560. by abuson and corruption, contrary to the liberty of the Church, and lawes of the Realm; which therefore ought to be annulled, reduced, and in time coming utterly discharged.

20. The dependences also of the Papistical jurisdiction are to be abolished, of which sort is the mingled jurisdiction of the Commissars, in so far as they meddle with Ecclesiastical matters, & have no Commission of the Church thereto; but were elected in time of our Sovereigns mother, when things were out of order; It is an absurd thing that divers of them having no function in the Church, should be Judges in deposing Ministers from their places. Wherefore they would be either discharged to meddle with Ecclesiastical matters or it would be limited to them in what matters they might judge, and not hurt the liberty of the Church.

21. Answered before.

21. They also that before were of the Ecclesiastical estate in the Popes Church, or that are admitted of new to the Papistical titles, and now tolerated by the laws of the Realm, to possesse the two parts of their Ecclesiastical rents, ought not to have any further liberty, but to intromet with the portion granted and assigned unto them for their life times, and not under the abused titles; which they carry to dispoise the Church rents, setting in fewes and leases the same at their pleasure, to the great hurt of the poor labourers that dwell upon the Church lands, and the prejudice of the Church, contrary to good conscience and all order.

CHAP. 12. *Special heads craved to be reformed.*

1. Agreed.

1. **W**Hatsoever hath been spoken of Church offices, the severall power of office-bearers, their conjunct powers, and last of the Patrimony of the Church, we understand it to be the right reformation which God requires, but because something would be touched in particular, concerning the estate of the countrey, and that which we crave presently to be reformed in the same, we have collected them in the heads following.

2. Agreed.

2. Seeing the whole countrey is divided in Provinces, and these Provinces in Parishes, as well to Landwart, and in Townes, in every Parish, and reasonable congregation there would be placed one or mo Pastors, and no Pastor or Minister be burthened with the charge of more Churches then are allenarly.

3. Agreed.

3. And because it will be thought hard to find out Ministers to all the parish Churches of the Realm, we think by the advice of such as the Prince or Church may appoint, Parishes in small villages, or to Landwart may be united, and the principal or most commodious Church, at which the Minister resides, repaired sufficiently; the rest that are not found necessary, being suffered to decay, and the Church-yards reserved for burial places. As also where the congregation is too large, the same would be divided.

4. Agreed.

4. Doctors would be appointed in Universities, Colledges, and other places needful for opening the Scriptures, and teaching the Rudiments of Religion, who would also be sufficiently provided.

5. Differed untill joyning of Churches.

5. As to Elders there would be in every congregation one or mo appointed for censuring of manners, but not an Assembly of Elders, except in Towns, and famous places, where men of judgement and ability may be had. And these to have a common Eldership placed amongst them, to treat of all things that concern the congregations, of whom they have the oversight.

6. Agreed as depending on the former.

6. And as there ought men to be appointed for the dividing or uniting of parishes, as need and commodity requires; so by the general Church with the consent of the Prince, some that fear God, and know the estate of the countreys, would be chosen to designe the places, where particular eldership should convene; taking consideration of the Dioces, as they were divided of old, and of the estate of the countreys and Provinces.

7. Likewise

7. Likewise concerning Provincial and Synodal Assemblies consideration would be taken, how many, and in what places they should convene; how often the same must be referred to the liberty of the general Church.

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7. Passed over in the Article of Provincial Assemblies.

8. Agreed as before.

8. The National Assemblies called commonly the general, ought to be maintained in their liberty, and have their own place, with power to the Church to appoint times and places of meeting. And all men, as well Magistrates as subjects, be subject to their judgement in causes Ecclesiastical, without reclamation or appellation to any Judge, Civil or Ecclesiastical.

9. Agreed to the general.

9. The liberty of electing persons to Ecclesiastical functions, observed without interruption, so long as the Church was not corrupted by Antichrist, we desire to be restored, and retained within this Realm; So as none be intruded upon any congregation, either by the Prince or any other inferiour person, without lawful election, and the assent of the people, over whom the person is placed, according to the practise of the Apostolick and primitive Church.

10. Referred.

10. And because this order cannot stand with Patronages, and presentation of benefices used in the Popes Church, we desire all those that truly fear God, to consider, that Patronages and Benefices have no ground in the word of God, but is contrary to the same, and to the liberty of election of Pastors, and ought not now to have place in the light of reformation. And therefore whosoever will embrace the light of Gods word, and desires the Kingdome of his Son *Jesus Christ* to be advanced, would also embrace, and receive the policy which the word of God craves, otherwise it is in vain that they have professed the same.

11. To be sought of the Parliament.

11. Notwithstanding for other patronages of Benefices not having *Curam animarum*, such as Chaplanries, Prebendaries, founded upon temporal lands, annualls or such like, they may be reserved to the ancient Patroness, and be disposed by them to Scholars, Bursers, when they fall voyd, as they are required by Act of Parliament.

12. Referred to the head of Deacons.

12. As to the Church rents in general, we desire that order be maintained and admitted, which may stand with the sincerity of Gods word and practise of the Church of *Christ*, in the purest times thereof: That is, that the whole patrimony of the Church (the small Patronages before mentioned being excepted) may be divided in four portions, one thereof to be assigned to the Pastor, for his entertainment and keeping hospitality; another to the Elders, Deacons, and other Officers of the Church, as Clerks of Assemblies, takers up of Psalmes, Bedles, and keepers of the Church, so farre as they are necessary, joyning therewith the Doctors of Schooles, for help of the old foundations, where need requires; the third portion to be bestowed upon the poor members of *Christ*, and the fourth upon the reparations of Churches, and other extraordinary charges, that are profitable to the Church and Commonwealth.

13. We desire therefore the Ecclesiastical goods to be uplifted and faithfully distributed by the Deacons, to whose office the collection and distribution belongeth, that the poor may be answered of their portion, the Ministers not distracted from their callings, and the rest of the Thesaury of the Church, bestowed upon the right uses.

14. If these Deacons be elected with such qualities, as Gods word requires there is no fear to be taken of their abuse; yet because this vocation appears to be dangerous to many, let them be obliged as they were of old in an yearly account to the Pastors, and Eldership. And if the Church and the Prince think expedient, let surety be found for their fidelity, and that the Church rents shall no way be dilapidated.

15. And to the effect this order may take place, all other intromettors with the Church rents, Collectors general or special, whether by the appointment of the Prince, or otherwise, must be discharged of further intromission, and suffer the Church rents, hereafter to be wholly intromitted with by the Deacons, and distributed to the uses before mentioned.

16. And also to the effect that the Ecclesiastical rents may suffice these uses, we desire all alienations by feuis, or leases of the rents of the Church, as well lands as tithes, in diminution of the old rentals to be reduced and annulled, and the patri-

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mony of the Church fully restored. As likewise that in time coming the tithes be set to none but to the labourers of the ground, as was agreed, and subscribed by the Nobility, or then not set at all.

CHAP. 13. *The conclusion shewing the utility that shall flow from this reformation to all Estates.*

1. **S**EEING the end of this spiritual government and policy is, that God may be glorified, the Kingdom of *Jesus Christ* advanced, and they who are of his mystical body live peaceably, keeping a good conscience, we do boldly affirm that and all who have true respect to these ends, will even for conscience cause gladly agree, conform themselves to this order, advancing the same so far as lies in them; that their conscience being set at rest, they may be replenished with spiritual gladnes in giving full obedience to Gods word, and refusing all corruption contrary to the same.

Next this Realm shall become an ensample and pattern of good and godly order to other Nations, Countreys, and Churches, professing the same Religion; that as they have praised God for our continuing in the sincerity of the Word without all errors; so they may have the like occasion when we shall conform our selves to that discipline, policy, and good order, which the same Word and purity of Reformation craves at our hands; otherwise that fearful sentence may be justly said to us, *That servant that knoweth the Masters will and doth it not, &c.*

3. Moreover, if we have any pity or respect of the poor members of *Jesus Christ* who greatly increase and multiply amongst us, we will not suffer them to be longer defrauded of that part of the patrimony of the Church, that justly belongeth to them. And by this order, if it be duly put in execution, the burthen of the poor shall be taken off the countrey, and the streets cleansed of their cryings, and murmurings, so as we shall not be any more a scandal to other Nations, as we have hitherto been.

4. Besides, it shall be a great ease and commodity to the whole Commons, relieving them of the building and repairing of their Churches, Bridges, and other like publick works; It shall be a relief to the labourers of the ground in payment of their tithes, and all other things, wherein they have hitherto been rigorously used by them that were falsely called Churchmen, and their Tasksmen, Factours, Chamberlains, and Extortioners.

5. Finally to the Kings Majesty and Estate this profit shall redound, that the affairs of the Church being sufficiently provided, according to the foresaid distribution, the *Superplus* may be liberally bestowed for the supporting the Princes estate, and the affairs of the Commonwealth.

6. So to conclude all, being willing to apply themselves to this order, the people suffering themselves to be ruled according thereto, the Princes and Magistrates not exempted, and they that are placed in the Ecclesiastical estate, ruling and governing rightly; God shall be glorified, the Church edified, and the bounds thereof enlarged, *Christ Jesus* and his kingdome advanced, Satan and the kingdome of darknesse subverted, and God shall dwell in the midst of us to our comfort in *Jesus Christ*, who with the Father and Holy Ghost, abideth blessed in all eternity. **A M E N.**

This was the course the Assembly took for admitting this form of policy.

The Archbishop of Glasgow urged to submit himself.

This was the form of policy presented to the Parliament, and the effect of the Commission granted for the same, such general heads as did not touch the authority of the King, nor prejudice the liberty of the Estate, were easily agreed. The rest were passed over, or deferred as we have seen, to further reasoning, which could not after this time be obtained of the Council, one excuse or other being still pretended. The Ministers perceiving they would not speed this way, did in their next Assembly resolve to put their conclusions in practise, without insisting any more for ratification thereof. And beginning with Mr. *James Boyd* Archbishop of *Glasgow*, whom they hoped to find most tractable, he was desired to submit himself to the Assembly, and to suffer the corruptions of the Episcopal estate to be reformed in his person. After long reasoning kept with him by the Moderator *David*

vid Ferguson and some others, he presented his answer in writing.

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The Archbishops answer presented in writing.

I understand the name, office, and reverence given to a Bishop to be lawful and allowable by the Scriptures of God, and being elected by the Church and King to be Bishop of Glasgow, I esteem my calling and office lawful, and shall endeavour with all my power to perform the duties required, submitting my self to the judgement of the Church, if I shall be tried to offend, so as nothing be required of me, but the performance of those duties which the Apostle prescribeth. As to the rent, living, and priviledges granted to me and my successours, I think I may lawfully, and with a good conscience enjoy the same. And for assisting the King with my best service in Council and Parliament, as my subjection ties me thereto, so I esteem it no hurt, but a benefit to the Church, that some of their number should be alwayes present at the making of Lawes and Statutes, wherein for my self I neither intend, nor by the grace of God shall ever do any thing, but that which I believe may stand with the purity of the word of God, and the good of the Church and countrey.

The answer doth not content the Assembly.

This answer read in open Assembly was judged insufficient, and he required to bethink himself better, and be present in the after-noon. But he excusing himself, returned not to the Assembly, whereupon Commission was given to Mr. *Andrew Hay*, Mr. *Andrew Melvil*, and some brethren in the West, to urge his subscription to the Act made at *Striveling* for reformation of the estate Episcopal; and if he did refuse, to proceed against him with the censures of the Church. The Bishop taking grievously these proceedings, and having received about the same time a great wrong at the hands of his Cousen *Robert Boyd* of *Baydinbeth*, by the demolishing of the house of *Lockwood*, which is in the Barony of *Glasgow*, contracted a melancholy, whereof he died not long after at *Glasgow*. Nothing did more grieve him, then the ingratitude of Mr. *Andrew Melvil* and his uncourteous formes; he had brought the man to *Glasgow*, placed him Principal in the Colledge, bestowed otherwise liberally upon him, and was paid for this his kindnesse with most disgraceful contempt. In private, and at the Bishops table (to which he was ever welcome) no man did use him with greater respect, giving him his titles of dignity and honour; but in the publick meetings where he owed him greatest reverence, he would call him by his proper name, and use him most uncivilly. The Commission of the Assembly he exerced with all rigour, and by threatening the Bishop with the censures of the Church, induced him to set his hand to certain Articles, which as he professed in his sicknesse, did fore vex his mind; yet being comforted by Mr. *Andrew Polwart* Subdean of *Glasgow*, he departed this life in great quietnesse. He was a wise, learned, religious Prelate, and worthy to have lived in better times, then he fell into. His corps was solemnly buried in the Quire of the Cathedral, and laid in the sepulchre of Mr. *Gawan Dumbar*, one of his predecessors.

The Archbishops contracts sicknesse, and dieth.

The small respect carried to Bishops in these Assemblies of the Church, made them dishaunt, and come no more unto the same. Yet matters went on, and because the Archbishop of *S. Andrews* did absent himself, Commission was given to certain of their number to call him before them, and charge him to remove the corruptions in the estates of Bishops in his own person, which they reckoned to be seven; ordaining him and the Bishops that would submit themselves to correction, to set their hands to the conditions following.

The conditions prescribed to Bishops.

1. That they should be content to be Ministers and Pastors of a flock.
2. That they should not usurp any criminal jurisdiction.
3. That they should not vote in Parliament in name of the Church, unlessse they had a Commission from the general Assembly.
4. That they should not take up for mainraining their ambition, the rents which might maintain many Pastors, Schooles, and poor, but content themselves with a reasonable portion for discharging their office.
5. That they should not claim the title of temporal Lords, nor usurp any Civil jurisdiction, whereby they might be withdrawn from their charge.
6. That they should not empire over Presbyteries, but be subject to the same.
7. That they should not usurp the power of Presbyteries, nor take upon them to visit any bounds that were not committed to them by the Church.

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Lastly, it was provided, that if any more corruptions should afterwards be tried, the Bishops should agree to have them reformed.

What troubles hereupon arose, both in the Church and Countrey, we shall afterwards hear.

A tumult in
Glasgow for
pulling down
the Cathedral.

In *Glasgow* the next spring there happened a little disturbance by this occasion. The Magistrates of the City by the earnest dealing of Mr. *Andrew Melvil* and other Ministers, had condescended to demolish the Cathedral, and build with the materials thereof some little Churches in other parts for the ease of the Citizens. Divers reasons were given for it; such as the resort of superstitious people to do their devotion in that place; the huge vastness of the Church, and that the voice of a Preacher could not be heard by the multitudes that convened to Sermon; the more commodious service of the people; and the removing of that idolatrous monument (so they called it) which was of all the Cathedrals in the Countrey only left unruined, and in a possibility to be repaired. To do this work, a number of Quarriers, Masons, and other workmen was conducted, and the day assigned when it should take beginning. Intimation being given thereof, and the workmen by sound of a Drum warned to go unto their work, the Crafts of the City in a tumult took Armes, swearing with many oaths, that he who did cast down the first stone, should be buried under it. Neither could they be pacified, till the workmen were discharged by the Magistrates. A complaint was hereupon made, and the principals cited before the Council for insurrection; where the King, not as then thirteen years of age, taking the protection of the Crafts, did allow the opposition they had made, and inhibited the Ministers (for they were the complainers) to meddle any more in that business, saying, *That too many Churches had been already destroyed, and that he would not tolerate more abuses in that kind.*

The matter
brought before
the Council.

The Abbot of
Dunfermlin,
returned from
England.

A little before this time the Abbot of *Dunfermlin* being returned from *England*, related in Council the effects of his negotiation, and was approved by all. For that which he had in Commission touching the Lady *Lennox*, he remitted the answer to the Queens own letters delivered to the King. Concerning the disorders fallen out in the Borders, the Queen, he said, did accept the excuse he made in good part, saying, she was assured, that both the King and Council were offended therewith, and that she was content the same should be redressed by the advice of the Wardens on both sides: onely desired that in time coming the King would make choice of wise and experienced men, inclined to peace and justice, to command in those parts. As to the League, he declared that the Queen had a good inclination unto it; holding the same a most sure means to repress the practises of enemies both at home and abroad: But in regard he had no warrant to descend into particulars, he had abstained from any dealing therein, and could not but testify, that he saw in her a great care of the King his good Estate, and that both he and his message were most kindly accepted.

The report of
his Commission.

The Lord
Ruthven made
Lieutenant of
the Borders.

The King in this mean time to pacify the Borders, which were broken loose, chiefly in the West parts, gave the Lord *Ruthven* a Commission of Lieutenantry, which he discharged with great commendation, and bringing with him the Lord *Maxwel*, who was Warden of the bounds, returned to *Striveling* the twentieth of *January*. A frequent Council was there kept for the time, wherein the Lord *Maxwel* being challenged of negligence in his office, did answer, *That he had only the title of a Warden, and that the limitations of his charge, and the exceptions granted to the Gentlemen of the Countrey, made the office needlesse and contemptible. But if the King should be pleased to discharge the exceptions, and give him a free Commission, such as his predecessors had wont to have, he should strive to do his best service to his Majesty and the Countrey.* This answer was not well taken, and the Lord *Hereis* (as one known to have greatest experience in these matters) being desired to give his opinion, delivered the same in a long speech, to this purpose. *Your Majesty*, said he, *hath in deliberation a business of great importance, whereof it were more fitting any man should give his opinion, then I, by reason of the suspicion I stand in with the present Warden; for what I say, will be interpreted to proceed of spleen, and of a desire to have the charge*

charge taken from him, and not of any care I take of your Majesties service, or the good *An. 1579.* and benefit of the Countrey, yet seeing your Majesty commands me to speak, I will rather hazard on such misinterpretings, then keep back any thing which I know to be useful and necessary for the errand. And what I speak, I desire it to be understood of the West marches onely, to which my experience chiefly reacheth. But because the evils would first be known, I will begin at them, and then propone the fittest and most easie remedies to my conception. Sir, a little before the death of your Majesties Noble Grandfather King James the fifth, some few disloyal subjects of this Realm fleeing into England, did plant themselves in a parcel of waste ground, that lies opposite to the west Borders of Scotland, and being maintained by the English grew unto such numbers, and became so insolent, as they made daily incursions upon the Countrey. Your Majesties Grandfather did hereupon imploy certain forces against them, intending to sack and destroy their houses, and make them unable from thenceforth to annoy his subjects. But these forces not being rightly governed, and lacking the provision that was required for such an enterprise, were put to the worse, and shamefully discomfited. At that time, what by ransoming prisoners, what by the spoyle they got, they gained above one hundred thousand Merks, wherewith, and by the depredations they have made since that time, they are become wealthy, have built eight or nine strong houses upon the frontiers of your Realm, that no Wardens power is able to force. They have joyned in alliance with divers of our own Borders, as wickedly disposed as themselves, and are so feared, that every man is glad of their friendship; without which none is thought to have any surety, either of life or goods. When your Grandfather departed this life, which was in the year 1542. they did not exceed the number of 20. or 30. men at most. Now they are growne to three or four hundred, dwell nigh to others, are well armed, have good horses, and upon a simple shout are ready to joyn in defence one of another. The Borderers on the Scots side are not in this condition; for the space of twenty miles, there is not a strength in which an honest man may sleep safe, no town nor strong hold to retire unto in time of necessity, neither is the countrey populous, nor is it fruitful, the ground being a pasture ground, barren and profitable only for the bestial, the people that inhabit the same, poor unruly, and not subject to order. So what for the number of these wicked men, that live in the English Borders, what for the evil disposition of our own, it is a charge most difficile to guard these marches, and to contain the people from doing or receiving wrong. The only remedy in this time of peace is, to keep our own countrey men in awe and fear of justice, so as neither they break loose themselves, nor have any dealing with their neighbours under hand, in their wicked practices. And how this may be done most surely, your Majesty and this honourable Council is to think; my opinion I have set down in some Articles, which I humbly submit to your Majesties and Councils censure.

Having thus spoken, he presented a writing containing these heads.

1. That the Warden should make his residence in *Lochmaben* with his family, and if in the Winter season he made his stay in *Dumfreis*, he should depute a sufficient Gentleman, for holding Courts of Justice weekly, according to the ancient form.
2. That the Warden should be assisted with five or six of the wisest men in the countrey, of which number two should be of the name of *Fohnston*; and lest their chief should think the Wardens proceeding against his followers partial, and done out of old rancor, that a moderate course should be kept in confiscation of their goods, the halfe being allowed to the wives and children of them that should happen to be convicted and executed, and the other half disposed to the Laird of *Fohnston* himself.
3. That the Barons and landed men within the bounds should present their tenants and servants as they should be required, and no man excused or exempted.
4. That the Lords *Carlile* and *Hereis*, the Lairds of *Drumlanrig*, *Apilgirth*, *Lag*, and *Fohnston*, should remain nigh to the Warden, and when the Lord *Maxwell* hath not the charge, that he be obliged to dwell in the house of *Langhome*, or if he be Warden himself, that he maintain a Captain therein, with twelve horsemen to be ready upon all occasions.

Articles presented by the Lord *Hereis*.

An. 1579.



5. That the Warden be allowed a guard of 24. horsemen with their Captain, who shall be laid in the town of *Annand*.
 6. That the Kings houses of *Lochmaben*, and *Annand*, with the watch-tower called *Repentance*, be repaired, a great bell and firepan put into it, with some honest man to watch and give warning to the countrey where the fray is, and a husband land allowed him for his service.
 7. That the lands called *The debateable lands* be visited, that it may be known how much thereof is claimed by the broken men of the countrey to be their steedings, and security taken of them for keeping good order.
 8. That dayes of truce be kept every 40. days once, or within two moneths at least, and such as shall be found to be robbed of their goods, be redressed to the double, and with safer, according to the law of Marches.
- Lastly, that his Majesty every year in the moneth of *September*, send one or two of the Councel to try the estate of the countrey, what duty the Warden doth, and if the Barons and landed men do give their assistance, that where any defect is found, the same may be punished.

The Lord
Maxwel ex-
cepteth against
the Articles.

At these Articles the Lord *Maxwel* took exception, especially at the first and second; for the house of *Lochmaben*, he said was his own as heretable Stewart of *Annandale*, and that any part of the Escheats should be given to the Laird of *Johnston*, he held it prejudicial to the Wardens office, and said it would be an occasion for other Barons to suite the like. But that which did most displease him (though this he dissembled) was, that any should be joyned with him as assisters: for he would needs be absolute in these parts, and have all to depend of him, which ambition he still nourished, and thereby in end wrought his own ruine. Yet the King not willing to displace him (for he understood his power to be great in these marches) made offer to continue him in the charge, and to allow him a company of 24. horsemen, with a Captain for repressing the outlawes, upon three conditions. First, that he should take the advice of the Barons of the countrey in all affairs, and proceed in the ministring of justice by their counsel. Next, that none should be declared fugitives, but by their consents. And thirdly, that the servants of landed men should not be apprehended, till their Masters were first charged to exhibit them, unlesse they were taken in the fact, and as they speak *with the red band*. He excusing himself, and professing a great willingness to give his attendance to any other, whom his Majesty should appoint; the Lord *Hereis* was chosen Warden, and the custody of the West Marches committed to him.

The Earl of
Athol dieth.

In the beginning of this year (to wit, upon the 24. of *April*, the Earl of *Athol* died at *Kincarne*, of a sicknesse contracted in *Striveling*, where he and some other Noblemen had been feasted by the Earl of *Morton*, and as report speaketh always the worst of great mens deaths, so the rumour at this time went, that *Morton* had made him away by poyson: which his Lady and friends did so strongly apprehend as when the Councel was examining the Physitians that embalmed his corps, whether they perceived any sign of poyson at his unbowelling, they took upon protestation that the trial of the Councel should not prejudice the criminal pursuit, which they intended before the Justice. And albeit the Physitians did upon their oathes declare, that his death was not caused by any extraordinary mean, yet the scandal was fostered a long time by a sort of rhyming Libels, which were afterwards tried to be composed by one *Turnbull* a Schoolmaster at *Edinburgh*, and another called *William Scot*, who were executed for the same at *Striveling* in the end of the Summer.

Certain Libels
executed at
Striveling.

Commission
for apprehend-
ing the Lord
Hamilton and
his brother
Lord *Glauch*.

A consultation was held at the same time in *Striveling*, for punishing the murderers of the two Regents, which by the edict of pacification was delayed unto the King his assuming of the government in his own person. Touching the form of proceeding, the opinions of those that were privy to the businesse were different: for some thought that the persons who were suspected, should be summoned to a day and form of proces kept with them; others judged that there needed no such formality, seeing the Authours were known, and the sentence of forfeiture pronounced

nounced against them, stood unreduced. To use a citation they said, was to give them warning to flee, whereas otherwise they might be taken unprovided; and brought to their censure. At last it was agreed that a Commission should be given to some Noblemen that had power, and affected the businesse, to apprehend them. This Commission was given to the Earls of *Morton*, *Marre*, and *Eglinton*, and to the Lords of *Ruthven*, *Cathcart*, and *Boyd*; which was not so closely carried, but advertisement went to the Lord *Hamilton* and his brother Lord *Claud*, so as they escaped. The Lord *Hamilton* going on foot through the most part of *England* in the habit of a Seaman, fled into *France*. Lord *Claud* after he had lurked a while amongst his friends at home, found refuge in the North parts of *England*: others of their friendship who stood in fear, saved themselves where best they could.

An. 1579.

They escape
and depart
forth of the
Realm.

Charges directed for the
rendring the
houses of *Hamilton* and
Draffan.

A complaint
presented in
name of the
Earl of *Arran*.

Upon the report of their escape, charges were directed for rendering the houses of *Hamilton* and *Draffan*, which belonged to the Earl of *Arran* their elder Brother, and were possessed by the Lord *Hamilton* as administrator to his brother because of his disease. The Earl of *Arran* himself they had kept in the Castle of *Draffan*, attended by some servants, and he was known to have no part in any of these facts, wherewith they were charged, so as by way of justice his estate could not fall under forfeiture; yet some colour of right behoved to be made for bringing the same under the Courts disposing. To this effect it was devised, that a complaint should be preferred in the name of the Earl of *Arran*, and his Majesties Advocates, bearing the miserable condition of the said Earl, and how he was detained in close prison by his two brothers without fire, aire, and the company of his honest friends; his living violently possessed by the Commendators of *Aberbrothock*, his Sheriffship of *Laurick* usurped, himself denied the benefit of marriage, and debarred from succession against all law: for if he was an idiot or furious (as they gave out) he ought to have had Curators given him by the King; and if he was *mentis compos*, it was an intolerable wrong to use him in that sort. Therefore desired letters to be directed for his exhibition before the Council, that it might be known in what estate he was, and an honourable provision appointed unto him, such as befitted his birth and condition. This desire being judged reasonable, summons were directed against the two brothers that were fled, and they not appearing at the day, were denounced Rebels. But this not sufficing to work their ends, the disobedience of the Keepers in not rendring the strengths when they were charged, was made the Earls crime, and he found to have incurred the pain of treason; an act of the greatest injustice that could be done. Notthelesse upon this ground were both the Castles at that time demolished, and Captain *James Stewart* afterwards preferred to the Earldome of *Arran*.

Whilest these things were doing, *Monsieur No a Frenchman*, Secretary to the Queen of *Scots*, came to *Striveling* with letters, and some presents to the King, but because in the superscription of the letters he was only intituled *Prince of Scotland*, the messenger was denied acceffe, and neither his letters nor presents received. The rest of this summer was spent for the most part in summoning the Gentlemen of the name of *Hamilton*, and putting them under surety, that they should not give supply to the fugitives, and be always ready to answer before the Council, when they should be called. Dame *Margaret Lion* Countesse of *Cassils*, who not long before had married the Commendator of *Aberbrothock*, was suffered to possess the Jointure she had by her first husband upon the like condition. And because many were put in fear by this proceeding, that the pacification of *Perth* should be altogether annulled, his Majesty made a publick declaration, *That what was done in the present pursuit, was only for the murther of his Father and Regents, (unto which both in honour and conscience he was tied) And that no Article of the pacification should be infringed, or called in question.*

The Queen of
Scots her Secretary denied ac-
cesse to the
King.

The Gentle-
men of the
name of *Ham-
ilton* put un-
der surety.

The Earl of
Argyle created
Chancellor.

A Parliament
indited.

In the beginning of *July* the Earl of *Athols* funerals were performed with great solemnity, and his body interred in the Church of *S. Giles* at *Edinburgh*, after which *Colin* Earl of *Argyle* was created Chancellor in his place. The King then resolving to shew himself to his people, and to fall into the exercise of his Princely authority, caused proclaime a Parliament to be kept at *Edinburgh* the twentieth of *October*.

While

An. 1580.

The Lord D' Ambigny cometh from France.

He is created Earl of Lennox.

The Earl of Lennox hated because of his credit with the King.

The King writeth to the Assembly of the Church.

The proceedings of the Church displease the King.

Jesuits and Priests resort to the country.

The King his care for reclaiming the Earl of Lennox.

The Earl joyns himself to the Church, but is still suspected.

Whilest things were preparing for his remove, the Lord D' Ambigny arrived from France, of purpose to visit the King, as being nigh of blood, and Cousen german to his Father. The King receiving him kindly, after a few days entertainment at Striveling, took him in company to Edinburgh, when he grew into such favour by his courteous and modest behaviour, as the King would not permit him to return unto France; and moving his grand Uncle to resign in his favours the Earldom of Lennox, he gave to him in recompence the title of the Earldom of March. Soon after the Abbacy of Aberbrothock which was fallen by Lord John Hamiltons forfeiture was bestowed on him, and he preferred to be one of the privy Council.

This suddain and unexpected preferment got him much hatred, and being of the Roman profession, his enemies filled the countrey with rumours, that he was sent from France only to pervert the King in his Religion. Notthelesse, in the Parliament which held at the time appointed, divers good acts were made in favour of the Church, but the matters of jurisdiction, which the Ministers did chiefly urge, was put off to a new Commission. Some moneths before, the King had required them, by a letter directed with John Doncanson his Minister, to abstain from making any novation in the Church policy, and to suffer things to continue in the state wherein they were, unto the Parliament approaching; without prejudging the decision of the Estates by their conclusions. But they neglecting the letter, went to examine the conference kept at Striveling the year preceding, and whereas in that conference divers heads were remitted to a further consultation, they ordained nothing to be altered either in form or matter, of that which amongst themselves was concluded. They further called the Archbishop of S. Andrews in question for granting collations upon some Benefices, and for giving voice in Parliament, not being authorized thereto by the Church. This did so displease the King, as from that time forth he did not countenance the Ministers as in former times, and upon the complaint of persons who otherwise deserved not much regard (that the Church might find in what need they stood of his favour) he suffered divers sentences to passe in Council, suspending their censures and excommunications.

This dissension betwixt the King and the Church brought with it many evils, for upon the notice of it divers Jesuits and Priests did resort into the countrey, and at home, such as were Popishly affected, began openly to avow their profession. In S. Andrews Mr. Nicholl Burn professor of Philosophy in S. Leonards Colledge, made open Apostasie from the truth; as Mr. Archibald and John Hamiltons Regents in the new Colledge, had (not long before) done. In Dumfries Mr. Ninean Dalziel Schoolmaster, did read to his Scholars the Romane Catechisme, and in Paisley a number of Papiests assembling together, did in derision sing a Soule Masse for the Ministers, as if they and their religion had been utterly gone. These things being complained of, and not much hearkened to, the Ministers in their Sermons fell to regrave the countenance given to Papiests in the Court, and the dangers wherein both the King and countrey were brought by the secret practises of the French.

The King to stay these declaimings which he knew to be made against the Earl of Lennox, called the Ministers to Edinburgh, and shewed them what travel he had taken to convert his Cousen, and how he had obtained his consent for taking a Minister in his house, which would be to good purpose, and serve both to debarre Jesuits from access to the Nobleman, and win him by conference to a greater liking of the truth, desiring therefore that one of their number might be appointed for some short space to attend him. Mr. David Lindsay then Minister at Leth, being held the fittest, as well for his skill in the French tongue, as for his moderation otherwise, was with the Kings approbation nominated to this service; by whose labours, the Nobleman was brought in a short space, to joyn himself to the Church, and openly in S. Giles to renounce the errors wherein he had been educated. Yet did not this remove the jealousies of the people, which were increased by the intercepting of certain dispensations sent from Rome; whereby the Catholicks were permitted to promise, swear, subscribe, and do what else should be required of them, so as in mind they continued firm, and did use their diligence to advance in secret the Romane Faith.

These

These dispensations being shewed to the King, he caused his Minister Mr. *John Craig* form a short confession of faith, wherein all the corruptions of *Rome*, as well in doctrine, as outward rites, were particularly abjured, and a clause inserted (because of these dispensations) by which the subscribers did call God to witnesse, *that in their minds and hearts they did fully agree to the said Confession, and did not faine or dissemble in any sort.* This confession the King for an Example to others, did publickly swear and subscribe; the like was done by the whole Councel & Court; and observers appointed to take notice of those that did not resort to Sermon, or behaved themselves in any sort scandalously. So careful was the King to have the Church satisfied, and the rumours of the Courts defection from Religion repressed.

An. 1580.

A confession of faith formed because of the dispensations from *Rome*.

After this all things continued quiet for a while, till by a bruit suddainly raised, none knew by whom, the Earl of *Morton* was taxed for keeping secret intelligence with the Queen of *England*, and a purpose he had to put the King in her hands. *Morton* complaineth of this in Councel, and desireth a trial. But the King not willing to make businesse for a tale, whereof the Authour would hardly be found, put it off saying, that he knew it to be a lie, and a malicious invention of enemies, and thereupon sent forth a Proclamation against lies & carriers of tales, tending to breed discord betwixt him and his Nobility. Yet as if some such thing had been feared, a motion was made some days after in Councel for guarding the Kings person, and electing of an high Chamberlain (which office none had borne for many years in this Kingdom) who should have twenty four to attend him, all of them the sonnes of Barons or Noblemen, and be ever at hand to accompany the King whither soever he went.

A rumour raised against the Earl of *Morton*.

A motion of electing a Chamberlain.

The motion was applauded of all, and after some ten days deliberation the Earl of *Lennox* preferred to the place. *Alexander Areskin* Captain of the Castle of *Edinburgh*, was chosen to be his Deputy, and a roll made of the Gentlemen that should give attendance. These were the Masters of *Marshall*, *Roths*, *Cassils*, *Lindesay*, *Levingston*, *Elphinston*, *Hereis*, and *Ogilvy*, the Lairds of *Cowdinknowes*, *Bargainy*, *Bomby*, *Kilsyth*, *Minto*, *Strathurd* and *Moncreiffe*, Mr. *Mark Ker* of *Preston Grange*, *George Douglas* of *Rumgaw*, Captain *James Stewart* son to the Lord *Ochiltree*, *Alexander Ruthven* the Commendator of *Inchaffrey*, the Prior of *Coldingham*, *Alexander Home* of *North-Berwick*, and *James Chisholme*. As extraordinaries, the Lord *Maxwel*, the Lairds of *Cesford*, *Alexander Home* of *Manderston*, and *William Stewart* of *Caverston*, were added to the number. All these took the oath of fidelity to the King, and obedience to his Chamberlain in the things they should be directed for his Majesties service.

The Earl of *Lennox* created Chamberlain.

The Earl of *Morton*, albeit he was much displeased with these courses, did carry a fair countenance, and concealing his discontents, waited still on the King, and was assisting in Councel and publick meetings. Once he minded to have withdrawn himself from Court, and to have lived privately, but was detained by a dissension that fell out in the time betwixt the Lord *Ruthven* and Master of *Oliphant*, who had married a daughter of *Lochlevin*; whom whilest he laboured to protect, he drew upon himself the hatred of the Lord *Ruthven*, and thereby was laid more open to the malice of his enemies. Sir *Robert Bowes* being sent at the same time Ambassadour from *England*, to charge the Earl of *Lennox* with some practises against the peace of the two Realms; the blame aswell of his employments, as his suddain departing, was laid upon him: for the Ambassadors Commission and instructions being questioned, and he desired to exhibit the same before the Councel, he refused to shew them but to the King himself; which not being admitted, he went away complaining, that the Queen had deserved better then thus to have her Ambassage misregarded.

A trouble betwixt *Oliphant* and *Ruthven*.

The Earl of *Lennox* charged by the Ambassadour of *England*.

His suddain departure amazed the Court not a little before, wherefore to excuse the King, and try what the accusations were, wherewith *Lennox* should have been charged, *Alexander Home* of *North-Berwick* was sent in Commission to *England*: but the Queen denying him access, he was remitted to the Lord Thesaurer, who courteously told him, *That the Queen had refused him presence, not for any dislike she had of himself, whom she knew to be sound in Religion, and one that loved his King and his Coun-*

Alexander Home sent into *England*.

He is remitted to the Lord Thesaurer.

try,

An. 1580.

The Thesaur-
ers conference
with Alexander
Home.

they, but because the King had not used her well, calling in question the credit of her Ambassadour, and requiring him to shew his instructions, which was strange, he keeping himself within the bounds of his Commission. But your King, saith he, is young, and misled by new Counsellours, whose fault the Queen knoweth it to be; I should therefore advise your King to hearken to her Majesties counsel, who carrieth to him a true motherly affection, and make more accompt of her, then of his French Cousen, who is subject to the French King, matched with a French woman, addicted wholly to that faction, and what profession soever he maketh, a Papist in Religion. The Hamiltons, saith he, being now exiled, he hopeth to be designed successor and heir to the Crown: but let your King know, that ambition hath no limits, and that the troubles which the French made in Scotland, are not yet forgotten, which would have perilled the liberty of that Kingdome, if the Queen by her prudence and power had not prevented the same.

Alexander
Homes his an-
swer to the
Thesaurer.

The Gentleman professing his thankfulness for her Majesties good opinion of him, answered, "That if he should be permitted to speak with the Queen, he would satisfy her Majesty in that point which concerned her Ambassadour. And for the King his Master, albeit he was young, and of few years, yet God had given him great wisdom and understanding; and that he would never willingly do the thing that might displease the Queen, nor hearken to any that should otherwise advise him; for he knew her Majesties good affection, and would not forget the care she had of him in his tender age. That he could not be justly blamed for favouring his Cousen; but as the Nobleman (he believed) would never advise the King his Master to any that might prejudice the amity with England; so he was perswaded, that his credit did not extend so farre, as to make any publick breach with the Queen. But there are more dangerous plots in hand, saith the Thesaurer, then your King is wary of, and it is no wisdom to put too much confidence in any one person. Alwayes time will discover the truth of every thing, at the present you must have patience, for the Queen will not see you. Thus was he dimitted.

Ult. Decemb.

The Earl of
Morton chal-
lenged for the
murder of the
Kings father.

Upon his return, and report of the conference he had with the Thesaurer, the King was easily made to believe, that all proceeded from the Earl of Morton and his intelligence in the Court of England, which by one way or other was held needful to be stopt. After some consultation taken about this, it was resolved to charge him with the murder of the Kings Father; for a rumour had gone in former times, that he was conscious and privy unto it. Captain James Stewart (a man eager to win credit by what means soever) takes the matter in hand, and coming one day, as the King was sitting in Council at Halirudhouse, desired to be heard; being admitted, he fell upon his knees, and directing his speech to the King, he said, *Out of the duty I owe to your Majesty I am come hither to reveal a wickednesse that hath been long obscured. The Earl of Morton, who sitteth there in a place unseemly for him, was one of those that conspired your Fathers death, and how dangerous it is to your Majesties person, that he should be so near unto you, let the Noblemen here present consider; for me, I shall make good what I speak, only let him be committed and put to trial.*

The Earl of
Morton his
answer.

The Earl rising up with a disdainful smile, answered, *By whose instigation this Gentleman cometh to accuse me, I know not, and I wonder what grounds he buildeth upon in charging me with this crime; for none that ever suffered for it did touch me therewith, and it is known what diligence and severity I used against those that were suspected of that marther. If I pleased I could many wayes decline this challenge, but my innocency is such, as I fear not the most rigorous trial. Sir, (with this he turned himself to the King and said) do in it as you please; either here or before any other Judge, I shall be ready to answer, and when my innocency is cleared, your Majesty will think what the malice of those that have set on this man to accuse me, deserveth.*

Captain James
Stewart his re-
ply.

Captain James Stewart sitting all this time on his knees, replied, *that by no mans instigation, nor out of any private grudge of his own, did he intend this accusation, but his detestation of the fact, and the love of his Majesties safety and honour, had only incited him thereto. For that he speaks of his diligence and severity; let me but aske him, said he, how and why he did preferre Mr. Archibald Douglas his Cousen to the place of a Senator in the Colledge of Justice, who was known to have been an actor in that murder, if he himself had no part in it? As the Earl was about to answer, the King commanded the*

the Captain to go forth, and the Earl being likewise removed, after a short deliberation taken with the Councel, he was committed in a chamber of the Palace, where he abode two nights. The third day he was conveyed to the Castle with a company of his own friends, who did earnestly move him to make an escape. But he chiding them with great bitterneſſe ſaid, *That he had rather die ten thouſand deaths, then betray his innocency in declining triall.* After ſome few dayes he was removed to *Dumbritton* Caſtle, that he might be further from his friends, and kept from all intelligence with them. The King had ſent privily to apprehend Mr. *Archibald Douglas* who dwelt then at *Norham*, but he having notice of the Earls committing, fled into *England*.

An. 1580.

Morton is committed 20th Janu-
ary.

18. Januar.

In the *July* preceding, the Aſſembly of the Church had convened at *Dundy*, where it was concluded, *That the office of a Biſhop as it was then uſed, and commonly taken within the Realm, had neither foundation, ground, nor warrant in the word of God; and thereupon an Ordinance was made, that all perſons either called to the ſaid office, or that ſhould be called thereto at any time thereafter, ſhould be charged to dimit and forſake the ſame, as an office whereunto they are not called of God. As alſo to deſiſt and ceaſe from preaching, miniſtring the Sacraments, or uſing in any ſort the office of a Paſtor, till they ſhould be admitted of new of the general Aſſembly, under the pain of excommunication.* In the end of the Act it was directed, *That concerning the patrimony of the Church poſſeſſed by the Biſhops, the next Aſſembly ſhould reaſon and adviſe upon the diſpoſing thereof.*

An Aſſembly
of the Church,
with their pro-
ceedings
againſt the
Biſhops.

Whether the folly or iniquity of this Ordinance was greater, it can hardly be ſaid; for granting that the office of a Biſhop had been as they judged unlawful, there was no reaſon to diſcharge them of uſing the miniſterial office, till they ſhould be received of new. And what a fooliſh thing was it to think that the Prince and Eſtates would permit the rents of the Biſhops to be diſpoſed at their appetites? They ſaw what was done with the other Prelates, and how the Abbots and Priors were no ſooner declared to be no office-bearers in the Church, but preſently they turned temporal Lords, and carried the rents with them quite away from the Church. And could they look for other dealing with the Biſhopricks? ſure it was, if the titulars themſelves did not find the credit to enjoy them, that others of the Laity would have invaded the ſame, as afterwards alſo they did.

The iniquity
of their pro-
ceedings.

But to paſſe this, the Earl of *Lennox* deſiring by all means to win the favour of the Church, ſent to this Aſſembly Sir *William Stewart* a brother of *Traquaire*, with a letter to this effect; *That it was not unknown to them, how it had pleaſed God to bring him ſince his coming into the countrey, to the knowledge of the truth, which he eſteemed more then all worldly happineſſe, and that he had made open profeſſion thereof, firſt in S. Giles Church at Edinburgh, and afterwards ſubſcribed the confeſſion of faith at Strive-ling, and was yet, if any farther was thought needful, ready to perform whatſoever ſhould be required: aſſuring them of his beſt advice in all things tending to God his glory, and to the good of the Church, requeſting, together with the aſſiſtance of their prayers, that he might continue in their good favours.* But all this could not remove their ſuſpicions of his counterfeiting, ſtill he was taxed in publick Sermons, and made odious to the people. Neither was it long after this aſſembly diſſolved, that *John Dury* one of the Miniſters of *Edinburgh* was called before the Councel, and committed in the Caſtle for certain ſpeeches of that kind uttered by him in Pulpit, but upon the ſupplication of his fellow Miniſters and promiſe of forbearing, he was after a ſhort ſtay in the Caſtle, licenced to return to his charge.

A letter from
the Earl of
Lennox to the
Aſſembly.John Dury
committed to
the Caſtle.

In *October* following, Mr. *John Row* Miniſter of *Perth* departed this life, who for his piety and ſingular moderation deſerveth here to be mentioned. In his younger years having applied his mind to letters, and taking the degree of a Maſter in Arts, he became a pleader in the Conſiſtory of *S. Andrews*, (a Judicatory then much frequented) and grew to be ſo ſkilled in the Canon law, as he was choſen to negotiate the affairs of the Church in the Court of *Rome*. *Julius* the third did then govern that See, of whom he was well accepted, and in poſſibility to have attained unto ſome preferment, if he would have ſtayed there, for he gained the favour of all to whom he was known, and was in ſpecial grace with *Guido Aſcanius Sfortia*,

The death of
Mr. John Row.

An. 1580.

Sfortia, Cardinal of *Sancta Flora*, who made such account of his skill and knowledge in the lawes, that he would have him pass Doctor in the University, whereof he was Chancellor. After some eight or nine years abode in those parts coming home to visit his countrey, and giving account of the affairs, wherewith he had been trusted, he found the state of the Church quite overturned, and the countrey all in tumult, by the reformation which was then in hand. Thereupon doubting what course then to take, and minding to return to *Rome*, he was dissuaded by the Prior of *S. Andrewes*, who held him in good esteem, and afterwards induced by the perswasion of *John Knox* to betake himself to the Ministry, which he exercised a certain space at in *Fife*, till by the General Assembly he was translated to the Town of *Perth*, there he continued unto his death, which happened in the year of our Lord 1580. and of his age the 54. a man whilest he lived well respected, and much lamented at his death by the people whom he served.

An Ambassa-
dour from Eng-
land.

In *January* next Sir *Thomas Randolph* came Ambassadour from *England*, his errand was to intercede with the King for the Earl of *Morton* his liberty; to which purpose, having called to mind the services done by the Nobleman in his Majesties minority, and chiefly the diligence he had used in finding out and punishing the murtherers of his Father, which by the malice of his adversaries was now laid to his charge, he requested in the name of the Queen his Mistris, that the Nobleman might be released from his Ward, declaring that her Majesty would esteem it a singular kindnesse done unto her, and otherwise would take it ill to be denied in so just and reasonable a matter. The King after he had heard him patiently, made answer, *That the many good offices he had received from his sister the Queen, did tie him to a thankfull requital, but in that particular which touched him so nigh. (the trial of his Fathers murder) he knew she would excuse him, alwayes, because of her intercession, he would be the more careful to have the trial rightly carried, and as liberty had been given to his adversaries to accuse, so the like, and greater should be allowed him for his defence.*

His Majesties
answer to the
Ambassadour.

An Assembly
of the Estates.

The Assembly of the Estates being called at the same time, and the Ambassador pretending that his instructions concerned them in a part, did in the hearing of them all charge the Earl of *Lennox* as one that had travelled to divert the Kings mind from keeping friendship with *England*; and done besides many ill offices since his coming to *Scotland*, both to the King and Kingdome; *For he hath put, said he, the Kings most faithfull Subjects and servants from their places, brought in others nothing so trusty, stirred up the King against the Ministers of Gods word, making no other account of them, then as of seditious rulers and turbulent persons; he hath loosed the Borders, said he, and made Justice there to cease, and hath practised with forain Princes for the invading of England: which he offered to manifest by letters intercepted and brought to the Queen his Mistris. But this beyond all measure doth grieve her, that a Prince of such hopes, joynd in such neerness of blood, and for whom she had taken so great care, should be thus misled and abused by wicked devices. If such a person ought to be tolerated to possess the King alone, and rule all things at his pleasure, your honours may judge.* This discourse moved few or none, the wiser sort esteeming the letters he produced counterfeit, as afterwards also was known.

The Ambassa-
dour labourerth
with Noble-
men to take
Arms for Mor-
tons liberty.

This course not prevailing, he dealt privately with the friends of *Morton*, and those that he knew envied *Lennox* his credit, to take Armes, and procure both *Mortons* liberty, and the banishment of the Earl of *Lennox*; assuring them of aid both of men and monies from the Queen of *England*: and by his perswasions brought the Earls of *Argile*, *Montrosse*, *Angus*, *Marre*, and *Glencarn* to enter into a confederation for performance both of the one, and other. But this combination held not long, being quickly discovered and broken. Of all the number, *Angus* and *Marre* onely stood firm, resolving to hazard all, rather then *Morton* should perish.

Forces sent by
the Queen of
England to the
Borders.

The Queen of *England* to make good her Ambassadours promise, sent down at the same time certain forces to the Borders: which troubled the Court a little, but was to no purpose, only it gave occasion to hasten *Mortons* trial and execution. The King not to be taken unprovided, if invasion should be made by *England*, sent forth Proclamations, commanding all the subjects to be in readinesse, for resisting such attempts; and withall levied some companies of horse and foot, to guard his person

person against any suddain assault. Next, a course was taken for confining those of *Mortons* friendship in some remote parts of the Realm, and the Earl of *Angus* charged to keep Ward beyond the river of *Spey*; the Laird of *Lochlevin* being benorth the water of *Cromarty*. The Laids of *Mains* and *Carmichal* with *Mortons* two natural sons, *James* and *Archibald*, were cited to appear before the Councel. The Laird of *Johnston* was discharged of his Wardenry in the West marches, and the Lord *Maxwel* put in his place. *Angus* for not entring within the time prefixed, was denounced Rebel and prohibitions made to resset or supply him in any fort under pain of treason. *Mains* and *Carmichall*. and *Mortons* two sonnes not appearing before the Councel, were likewise proclaimed Rebels.

This rigorous proceeding, and a fear the Ambassadour took that his practises were discovered, made him to depart secretly to *Berwick*. Sir *John Seaton* Master of the horses, was thereupon directed to complain both of his dealings, and of the forces sent unto the borders in a time of peace, but he was stayed at *Berwick*, and not suffered to go any further. Then order was taken for bringing *Morton* to his trial, and Commission given to the Earl of *Montrosse*, and Captain *James*, who was then first styled Earl of *Arran*, to make his convoy to *Edinburgh*. When the Commission was shewed to the Earl of *Morton*, and that he found named in it *James* Earl of *Arran*, he wondered what man he was, for he knew the Earl of *Arran* to be deceased and had not heard that Captain *James* did assume that title. Thereupon asking the Keeper of the Castle, who was Earl of *Arran*? when it was answered, that Captain *James* was the man; after a short pause, he said, *And is it so? I know then what I may look for*; meaning as was thought, that the old prophesie of *the falling of the heart by the mouth of Arran*, should then be fulfilled. Whether this was his mind or not, it is not known; but some spared not at the time when the *Hamiltons* were banished, in which businesse he was held too earnest, to say, that he stood in fear of that prediction, and went that course only to disappoint it. But if so it was, he did find himself now deluded, for he fell by the mouth of another *Arran*, then he imagined. However it was, this is sure, that the newes did at first perplex his mind not a little, and that after this time, he gave over all hope of life.

Being brought to *Edinburgh* his proces was made the first of *June*. The indictment charged him with conspiring, and concealing the murder of King *Henry*, and of being *art and part* (as the phrase is) in committing the same. He denied all, and pleaded not guilty. The Jurors being called, he excepted against *Argile*, the Lord *Seaton* and the Laird *Waughton*, yet they were all received upon their purgation, that they had not given any counsel to his hurt or prejudice. This done, and they all sworne according to the custome, they went apart, and after they had consulted a while, returning into the Court, the Earl of *Montrosse* Chancellor of the Assise, declared him convict of counsel, concealing and being *art and part* of the Kings murder. At these last words he shewed himself much grieved, and beating the ground once or twice with a little staffe he carried in his hand, said, *Art and part, art and part! God knoweth the contrary*. When doom was given, that he should be taken to the place of execution, hanged on the gibbet, have his head cut off, his body quartered and affixed in the most publick places. he uttered not a word, nor did he seem to be moved therewith, and because it was drawing towards night, he was conveyed back to the lodging wherein he was kept.

In the morning Mr. *James Lawson*, with two or three other Ministers, did visit him. They asking how he had rested that night, he answered, that of a long time he had not slept more soundly; *Now I am*, saith he, *at an end of my troubles, some nights before my trial, I was thinking what to answer for my self, and that kept me from sleep, but this night I had no such thoughts*. Then falling to speak of his present case, and the sentence pronounced against him, they said that he should do well to unburthen his mind, and declare what his part was of the Kings murder, he answered with a great attestation that he never gave consent to that wicked fact. The Earl *Boithwel*, said he, *upon my return from England, (where I remained a while, because of Seignior Davies slaughter) came to me in Whittingham, and after a long discourse brake the matter unto me, saying, that the Queen would have the King taken away, for that she blamed*

An. 1581.

The proceeding against *Mortons* friends at Court.

An. 1581.

The Ambassadour departeth secretly to *Berwick*.Sir *John Seaton* denied passage into *England*.*Morton* brought from *Dumbarton* to *Edinburgh*.*Morton* his indictment.

Sentence pronounced.

The Ministers conference with the Earl of *Morton*.

An. 1581.

him more of Davies mother, then all the actors; and asked, What would my part be therein? I made him this answer, that being newly relieved of a great trouble, I would not willingly enter into another, and that I would have no meddling in that businesse. He not satisfied with my answer, insisted to have me consent, saying, The Queen would have it done. If so be, said I, bring me the Queens hand-writing, that I may know that it is her mind. This he never did, and if he had brought it, I was fully resolved to have turned my back upon Scotland, and banisht my self, till I saw better times. Next, they inquired whether Mr. Archibald Douglas had any dealing with him in that purpose. Whereunto he answered, that Mr. Archibald (being at that time a depender upon Bothwell) did bring him (he being then at S. Andrews) a letter from Bothwell, containing credit, and that he travelled to perswade him to give his assistance to that fact: but he excused himself, because he saw no warrant from the Queen, as Bothwell had promised. After the murther committed, he said, that Mr. Archibald came again unto him, and told him that he did accompany Bothwell and Huntley to the place, and was assisting to the fact. Therefore can I not deny, saith he, that I foreknew and concealed the same; but to whom should I have revealed it? for the King when he was advertised of the danger, would not believe it; But they have condemned me of art and part, said he, which is more then concealing; but as I wish God to be merciful to me now at my last, I never gave counsel nor consent thereto. The Ministers replying that he could not justly complain of the sentence, being guilty of foreknowledge, and concealing by his own declaration; he acknowledged the same to be true, but saith he, It would have gone alike with me, if I had been as innocent as S. Steven, or as guilty as Judas. But of that I am not to complain, nor will I stand to my justification, being assured, howsoever men have carried themselves in it, God hath dealt justly with me; and that I am to suffer nothing, but that which I have merited, yea worse.

The sentence mitigated.

Arran desired Morton to subscribe his confession.

Morton his Answer.

Morton his behaviour at his death.

Mortons qualities and good parts.

This confession reported to the King, the rigour of the sentence was mitigated, and order given that he should be beheaded only, and his body committed to burial. In the afternoon, when it was told him by his Keeper, that the time was come, and all things were in a readinesse, he said, *I praise God I am also ready: And making forth was met by the Earl of Arran in the very entry, who desired him to stay, and subscribe his confession; he answered, I pray you trouble me not, for I am now to prepare my self for death, and cannot write in this estate.* The Earl ceasing to urge that point any further, desired he might be reconciled with him, protesting that he had done nothing upon any particular grudge: he answered, *It was no time to reckon quarrels, I forgive you and all others.* When he was come to the scaffold, which was erected in the publick street, he repeated the substance of his confession; and in some few words exhorted the people to continue in the profession of the true Religion, and maintain it at their power, intreating them to assist him with their prayers to God. The chief Minister did then conceive a prayer, during the time whereof, he lay prostrate upon his face, and was greatly moved, as appeared by the rebounding with many sobbes and sighs. The prayer ended, divers came to be reconciled with him, whom he received very kindly, all the rest that were on the scaffold he took by the hand, bidding them farewell, and going towards the Block, laid down his head, and cried aloud; *In thine hand O Lord I commit my spirit: Lord Jesus receive my soule.* Which words he was still uttering, when as the axe fell, and cut off his head. His corps left on the place, lay from the hour of execution to Sunne-setting, covered with a beggerly cloak, every man fearing to shew any kindnesse, or so much as to expresse a sign of sorrow; his corps was afterwards carried by some base fellowes to the common sepulchre, and his head fixed on the Tolbuih.

Never was seen a more notable example of fortunes mutability; he who a few years before had been revered of all men, and feared as a King, abounding in wealth, honour and number of friends and followers; was now at his end forsaken of all, and made the very scorne of fortune, to teach men how little stability there is in honour, wealth, friendship and the rest of these worldly things, which men so much admire. He was of personage comely, of a mean stature, and a graceful countenance, and singular courage; whereof in the civil troubles he gave many proofes; wise and able for government, a lover of justice, order, and policy; but inclined to

covetousness, which the wants and necessity he endured in his younger years, was thought to have caused; and given too much to the pleasures of the flesh, as at his dying he acknowledged with a great remorse. In this lastly most happy, that though his death in the worlds eye was shameful and violent, yet did he take it most patiently, quitting this life with the assurance of a better.

An. 1581.



The day following, the Earl of *Arran* in Council made a discourse of his proceedings in the trial of *Morton*, declaring what he had done, and how to come to the knowledge of the fact, for which he had suffered, he was forced to use some rigorous dealing towards his servants, and put certain of them to the torture: lest this should be imputed to him as a crime, his desire was to have his Majesties and the Councils approbation. This was easily obtained, and an Act made ratifying all that he had done in that business, as good service to his Majesty and the Estate; Yet was it well enough known, that the inquisition he made upon *Mortons* servants, was to find out where his gold and money was hidden, and for no purpose else. Near about the same time, he took to wife the Earl of *Marche* his Lady; a woman intolerable in all the imperfections incident to that sexe. She had forsaken her husband not long before, and obtained sentence against him for alleadged impotency, yet was she known to be with child even then by *Arran*, which made the Proces on her part more shameful; nor was his part a whit better, nay rather much worse; having been a long time entertained in the Noblemans house, and furnished by him in every thing necessary, whilest his estate was but yet mean; to have repayed the Nobleman so dishonourably, was accounted a vile ingratitude. The marriage alwayes went on, and their unlawful love held that way legitimated.

Arrans proceeding against *Morton* and his servants approved.

Arran his marriage with the Countesse of *Marche*.

In *August* next the Earl of *Lennox* was created Duke of *Lennox*, Lord *Robert Stewart* Uncle to the King by his Mother made Earl of *Orkney*; *William* Lord *Ruthven* Earl of *Gowry*, and *John* Lord *Maxwel* Earl of *Morton*. *Arran* although he had assumed the title before, would then also be created Earl, which was done with great solemnity, and the first place bestowed on him, for he would not endure to be second to any, and took so ill the credit which he saw the Duke carried with the King, as he spared not to affront him at all occasions. The Laird of *Farnherst* was then newly returned from *France*, where he had lived divers years in exile, and by the Dukes favour, to whom the King could deny nothing, had respite given him for certain crimes committed in the Kings minority. As it was passing in Council, the Earl of *Arran* did protest against it, alleadging an oath made at *Strive-ling* by the Counsellors, not to give way to respits, or remissions granted to the Kings enemies. Herewith the Duke offended, and a great heart-burning grew amongst them, which in the Parliament kept at *Edinburgh* in the moneth of *October* following, burst forth in an open breach. The question was about some privileges belonging to the Chamberlain in time of Parliament, which *Arran* would not acknowledge, taking upon him, as Captain of the Guard, to place near unto the King whom he pleased. The Duke not enduring this insolency, absented himself from Parliament, which did so irritate the King, as the next day he went to *Dalkeith*, taking the Duke with him, and charged *Arran* not to come towards Court. Many were glad to see them thus committed amongst themselves, and for a while matters went so hot, as it was not expected the discord should be suddenly appeased. The Duke had the advantage of the Kings favour, *Arran* strengthened himself with the common cause, giving out that the quarrel was for religion, and for opposing the Dukes courses, who craftily sought the overthrow thereof. And all this time this frowning of the Court continued, you should have seen him and his Lady repair so devoutly to Sermon and prayers, that the people believed this to be the ground of the dissension, and that he was only disliked for his sincerity in Religion. But *Arran* knowing this would not long bear out, and fearing to lose the Kings favour altogether, he employed some friends to make offer of satisfaction to the Duke; and in end things were so composed, as *Arran* did quit the commandment of the Guard, and the charge thereof was given to the Duke.

To return to the matters of the Church, there was a general Synod this year kept at *Glasgow* in the moneth of *April*, wherein the question of Bishops was again agi-

An. 1581. tated; and because of the scruples which some brethren had at the Act concluded in *Dundy* the year preceding, especially where it was said, that the office of a Bishop had no warrant of the word of God; the Assembly declared, that their meaning was to condemn the estate of Bishops as they were then in *Scotland*. A number of the more wise and moderate sort interceded, that the conclusion of that matter might be for a time deferred, because of the inconveniences it would draw upon the Church, but they were cried down by the multitude. Amongst others, one Mr. *Robert Montgomery* Minister at *Striveling*, was so fervent in the cause, as he would have the Assembly censure those that had spoken in defence of that corrupted estate. Yet before the end of that year, this zealous man did suffer himself to be more pitifully corrupted, the story whereof shall now be related: The See of *Glasgow* being then voyd, it was suggested to the Duke of *Lennox* by some flatterers, that he had a fair occasion presented, to make himself Lord of that City, and of the lands pertaining to that See, if he should only procure a gift thereof to some one that would make a disposition of the same to him and his heirs. The offer was made to divers, who refused all, because of the condition required; At last, the agents in that businesse fell upon this *Montgomery*, who was content to accept it. A gift was thereupon formed, and a Bond given by him, "That how soon he was admitted Bishop, he should dispo-
" the Lands, Lordships, and whatsoever belongeth to that Prelacy, to the Duke
" and his heirs, for the yearly payment of one thousand pounds *Scots*, with some
" horse-corn and poultry. A vile bargain it was, for which justly he ought to have
been repulsed. But the Church passing this point, made quarrel to him for accept-
ing the Bishoprick, which the King would not acknowledge to be a reason sufficient.
*If they could charge him with any fault in doctrine or life, he was content they should keep
their order, but to challenge him for accepting the Bishoprick, he would not permit the same,
having lately ratified the Acts agreed upon at Leth, Anno 1571. touching the admission
of Bishops, and ordained the same to stand in force untill his perfect age, or till a change
was made thereof in Parliament.*

*Montgomery his
Simoniackal
bargain for
the Bishoprick
of Glasgow.*

*Inquisition
made of
Montgomery
his life and
doctrine.*

This related to the Church, they did appoint *Montgomery* his life and doctrine to be inquired upon, if possibly they could find any matter against him: which done, an accusation was framed, and he cited to answer in the next Assembly. The Articles laid to his charge were these.

1. That he preaching at *Striveling* had proponed a question touching the circumcision of women, and affirmed, they were circumcised in the skin of their forehead.
2. That teaching in *Glasgow* he should say, the discipline was a thing indifferent, and might stand this or that way.
3. That he called the Ministers captious, and men of curious braines.
4. That he laboured to bring the Original languages in contempt, abusing the words of the Apostle in the 1 *Cor.* 14. and jeastingly asked, In what School were *Peter* and *Paul* graduated?
5. That to prove the lawfulness of Bishops in the Church, he had used the examples of *Ambrose* and *Augustine*.
6. That in his doctrine he said it was sufficient to baptize in the name of the Father onely, or in the name of the Sonne, or in the name of the holy Ghost, seeing they are all one God, and to that effect alleadged the nineteenth of the *Acts*.
7. That he should have called matters of discipline, and the lawful calling of the Church, trifles of policy.
8. That he charged the Ministry with sedition, warning them not to put on or off Crownes; for if they medled therewith, they would be reprov'd.
9. That he condemned the particular application of Scripture, disdainfully asking, In what Scripture they found a Bishop for a thousand pounds, horse-corne, and poultry, &c.
10. That he oppugned the doctrine of our Saviour speaking of the number of the wicked, and them that perish.

11. That

11. That he denied any mention to be made in the New Testament of a Presbytery, or Eldership.
12. That he accused the Ministers of Pasquils, lying, backbiting, &c.
13. That the Church being traduced with infamous libels, he did not only not find fault therewith, but seemed to approve the same, having used in his preaching, the very words of the Libel cast in the Kings chamber against the Ministers.
14. That these three moneths past, he had been negligent in doctrine and discipline, and giving no assistance to the Eldership.

An. 1581.

The Articles were sent to the King by some Ministers, who were desired to shew his Majesty that the accusation was not founded upon the accepting of the Bishoprick, but upon erroneous points of doctrine. The King answered, *That whatsoever colour they gave to the process, he knew, that his yielding to accept the place, was the true quarrel; and for himself, albeit he loved the Religion, and agreed fully therewith, he allowed not divers heads of their policy; alwayes for the particular in hands, he would leave the man to make his own answer.* This reported to the Assembly, they went on with the accusation, and *Montgomery* being called, Mr. *Andrew Melvil* became his accuser. The Articles upon his denial were admitted to probation, but few of them were verified, yet the conclusion of the Assembly was, that he should continue in his Ministry at *Striveling*, and meddle no more with the Bishoprick under pain of excommunication. Mean while the Presbytery of *Striveling* (for they had now erected Presbyteries in divers places of the countrey) was enjoined to try his conversation, and how he did exercise discipline, if possibly any thing might be found against him that way.

The Articles against *Montgomery* communicated to the King.

It fell out at the same time, that Mr. *Walter Balcanquel* one of the Ministers of *Edinburgh*, did utter some reproachful speeches in a Sermon against the Duke of *Lennox*, saying, *That within these four years Popery had entered into the countrey and Court, and was maintained in the Kings Hall by the tyranny of a great Champion, who was called Grace. But if his Grace continued in opposing himself to God and his word, he should come to little Grace in the end.* The King advertised of this, sent *James Melvil* his servant to complain to the Assembly, requiring some order to be taken therein. The Minister being put to his answer, said, *That he praised God for two things, First, that he was not accused for any thing done against his Majesty and the Lawes: Secondly, that he perceived the Church had obtained some victory: For when he was last questioned for his Sermon, the Council did make themselves Judges of Ministers doctrine: Now that he saw the complaint remitted to the Assembly, he was glad, and willingly submitted his doctrine to their trial: Onely that he should not give advantage to his enemies, he desired the Apostolick Canon to be kept, which prohibiteth an accusation to be received against an Elder, but under two or three Witnesses.*

Mr. *Walter Balcanquel* questioned for speeches in Pulpit.

Balcanquels answer.

Mr. *Thomas Smeton*, and *David Ferynson* were upon this directed to shew the King, that the Assembly was willing and ready to try the complaint: but withall, that the liberty craved by the person accused could not be denied, he being a Presbyter. So if it should please his Majesty to send an accuser assisted by two or three witnesses, the accusation should be received, and justice done. The King not liking this answer, for he knew the difficulties he should have to find out an accuser, followed the businesse no more; but the Minister not contenting, that the cause should thus desert, would needs have the judgement of the Assembly, whether or not he had uttered in his Sermon any scandalous or offensive words: for they had been all Auditors of that he spake. This being put to voices, the Assembly declared his doctrine to have been good and sound, and that he had given no just offence thereby to any person. When this was told the King, he was much offended; for not many dayes before, when as the same Minister with his Colleague *John Dury* was called to give accompt of some speeches they had uttered in Pulpit, it was excepted, *that the King and Council could not be Judges of their doctrine*; and now his Majesty having complained to themselves, and they being Auditors of the speeches, when he expected some censure to be inflicted, they had justified all that was spoken,

The King ceased from pursuing the complaint.

Balcanquels Sermon approved by the Assembly.

An. 1582.

Montgomery
suspended by
the Presbytery
of Striveling.

He is cited to
appear before
the Synod of
Lothian.

An. 1582.

The Synod in-
hibited to pro-
ceed.

An Assembly
at S. Andrews.

Mr. Mark Ker
sent to dis-
charge the As-
semblies pro-
ceeding.

The Assembly
discharged un-
der pain of Re-
bellion to de-
fist.

The Assembly
proceedeth,
and findeth him
culpable of di-
vers crimes.

Montgomery
falling from his
resolution, sub-
mits himself to
the Assembly,

and so would force him to take other courses, then he desired to follow.

But to return to *Montgomery* his cause, the Ministers of *Striveling*, as they were enjoined, made a visit of the Church, to try what they could find against him. All they got delated was, that he had baptized some children begotten in fornication, not calling the offenders before his Session. Upon this declaration he was cited to appear, and because he kept not the Diet, suspended from his function, he notwithstanding preached still, and exercised all the parts of his Ministry, as in former times; which they took to be an high contempt, and therefore did summon him to the Assembly (which was shortly to meet at S. Andrews) to hear their sentence approved, and to answer to such other things as in that meeting should be laid to his charge; and because they understood, that against the inhibition of the last Assembly he was still labouring to secure himself in the Bishoprick of *Glasgow*, and had cited the Chapter before the Council, for refusing to convene to his Election, they likewise charged him to compeer before the Synod of *Lothian*, to hear the sentence of excommunication pronounced against him.

The King being informed of this, caused warn the Synod to appear the twelfth of April at *Striveling*, discharging in the mean time all proceeding in the business. Mr. Robert Pont, and with him a few others compeiring at the day, he in the name of the rest protested, *That albeit they had compeired to testify their obedience to his Majesty, yet he did not acknowledge his Majesty and Council Judges in that matter, the same being a cause Ecclesiastick, and that nothing done at that time should prejudice the liberties of the Church, and Lawes of the Realm.* This protestation the Council rejected, inhibiting the Ministers to use any proceeding against *Montgomery*, which because of the General Assemblies approaching they yielded unto; onely they caused charge him to appear before the Assembly. When the Diet came, he appeared, and first protesting for remedy, if they should use him wrongfully; he said, that the proces of *Striveling* could not be allowed, for that he was never lawfully summoned to hear any sentence given against him. The Presbytery of *Striveling* remitting themselves to the proces, the Assembly declared the same to be rightly deduced, and ratified the suspension pronounced. As they were proceeding to his censure, for contempt of the sentence, Mr. Mark Ker, then Master of the Requests, presented a letter from his Majesty, inhibiting them to trouble the Bishop for any thing that concerned the Bishoprick, or whatsoever cause preceding; for that the King would have those things heard and handled in his own presence. The Assembly answered, that because of his Majesties request, they should look more carefully to the business, and see all things carried rightly, according to justice.

The Master of Requests replying that his Majesty had willed them by his letter to desist, and treat no more of that business: Mr. Andrew Melvil, who presided for the time, answered, *that they did not meddle with things belonging to the Civil power; and for matters Ecclesiastick, they were warranted to proceed in these, specially with one of their own number.* He perceiving that notwithstanding of his Majesties letter they would proceed, caused a messenger of Armes whom he had brought with him, charge them under pain of Rebellion to desist. Then was *Montgomery* called to see if he would abide by the charges used at his instance; But he was retired to his lodging, and could not be found; and (the night drawing on) was appointed to be summoned to the next morning to receive his censure. After the hour appointed, one *William Montgomery* having procuration from him, appeared, and appealing from the Assembly to the King and Council, gave this for a reason amongst others, that *he who was his accuser in the last Assembly, was turned to be his Judge.* But the Assembly rejecting the Appellation, fell presently a reading the *enorm crimes* (so they called them) whereof he was guilty; nor was there any thing omitted that served to aggravate the same; corruption in doctrine, dissoluteness of life, contempt of the Churches sentence, falsehood, and breach of promise, lying, perjury, moving of sedition, and stirring up certain of the Nobility against the Church. Of all these he was declared culpable, and ordained therefore to be deprived, and cast forth of the Church.

How soon he heard that this conclusion was taken, his courage which seemed before high and resolute, began to cool; whereupon presenting himself to the Assembly,

bly,

bly, he renounced his appeal, desiring conference of some godly and learned brethren : which granted, he was induced by them to confesse his offence in divers particulars, submitting himself to the will of the Assembly; and in end, to promise solemnly in the presence of the whole number, that he should meddle no further with the Bishoprick of *Glasgow*, and neither accept of it, nor of any other office in the Church, without the advice and consent of the General Assembly. Yet this gave not an end to the business; for how soon he returned to the Court, and perceived the Kings countenance cast down upon him for that he had done, he undertook of new to settle himself at *Glasgow*, and had letters from his Majesty to the Gentlemen of those parts to assist him. At his coming to *Glasgow* with purpose to preach the Sunday following, a number of the Students in the Colledge entered into the Church on Saturday at night, and excluding him, did keep the Chair for Mr. *Thomas Smeton* their Principal, who taking for his Theam that saying in the Gospel, *He that enters not by the door, but by the window, is a thief and a robber*, inveighed against the Bishop for his simoniacal entry, and the levity he had shewed in all his proceedings. The next Sunday the Bishop with a great convocation of Gentlemen came to the Church, and displacing the ordinary Preacher, Mr. *David Weymes*, made the Sermon himself. The Presbytery of *Glasgow* intending proces against him for molestation of the Church, and usurping the place of the ordinary Preacher; *Matthew Stewart* of *Minto* Provost of the City, came and presented a Warrant from the King, to stay all proceedings against the Bishop, willing them to desist: Mr. *John Howefon* Minister of *Cambusfange*, moderating in his course (as the custome then was) and replying somewhat peremptorily, that notwithstanding his Warrant they would proceed, some words of offence passed, whereupon the Provost pulling him from the Seat, made him prisoner in the *Tolbuith*.

The rumour of this fact ran quickly through the Kingdom, and a solemn fast being kept by the appointment of the former Assembly, the causes whereof were made to be the abundance of sin, the oppression of the Church, the dilapidation of the rents, and the danger wherein the King stood by the company of wicked persons, who did seek to corrupt him in manners and Religion; the insolency committed at *Glasgow* was likewise adjected, and furnished matter of long discourse to the Preachers. Amongst others, *John Dury* did exclaime mightily against the Duke of *Lennox*, upon whom the blame of all things was laid, and thereby did so irritate the King, as he would needs have him removed forth of the Town. Charges to that effect were directed, commanding the Magistrates within the space of 24. houres to remove him: who not daring disobey, yet being unwilling to use their Minister in that sort, travelled with him to depart quietly, and leave the Town. The Minister proposing the case to the General Assembly, (for upon advertisement given by the Ministers of *Edinburgh*, they were there convened) desired their advice: for, *to leave his flock at the pleasure of the Court*, he said, *might work a prejudice to the Church, and to depart privately as the Magistrates advised him, might be imputed to fear, or then make him to be thought guilty of some fault*. The brethren after a short consultation did advise him to stay, till he should be commanded to depart, and then obey. Mean while, Mr. *Thomas Buchanan* and *David Ferguson* were sent to the King, who was then at *Striveling*, to intreat his Majesties favour unto him, and therewith to request a continuation of the Diet, for the appearing of the Ministers of *Glasgow* at *Perth*. The King desiring to have matters quieted, answered the last proposition first, saying, *That if the Assembly would delay the proces which they had against the Provost of Glasgow, and his assistants, he would likewise dispense with the appearing of the Ministers at the appointed time*. And as to *John Dury* he said, *that upon his supplication, how soon the Duke returned to Court, whose interest was greatest in that business, order should be taken with him, and consideration had of the Assemblies request*. But they not satisfied herewith, striving to make good what they had taken in hand, went on with the proces of *Glasgow*, and leading probation against *Minto* and the rest, decerned them to be excommunicated, and cast forth of the society of the Church, onely the pronouncing of the sentence was delayed, till they saw what course was kept with their brethren before the Council.

An. 1582.

Montgomery changerth, and returneth to his first course.

Mr. *Thomas Smeton* his Sermon at *Glasgow*.

Montgomery proceeded for preaching at *Glasgow*.

The Moderator of the Presbytery imprisoned in the *Tolbuith*.

A solemn Fast kept.

John Dury Minister at *Edinburgh*, was removed from his charge.

Ministers directed to the King.

An. 1582.

Mr. John David-
son excommu-
nicated
Montgomery.

Mr. John Davidson then Minister at Liberton, pretending a warrant from the Church, had in his private Parish pronounced Bishop Montgomery excommunicate, which (albeit done against all form) was allowed, and intimated in all the Churches of the countrey. The Duke of Lennox notwithstanding did still entertain him in his company, and at some occasions had made him to preach publicly. Thereupon Mr. Alexander Archbuthnot, and Mr. Adam Johnstoun were directed by the Assembly, to intimate unto the Duke his excommunication, and the Acts of the Church against such as kept excommunicate persons in their company. The Duke taking them up somewhat hotly, asked them, *Whether the King or the Church were superiours*; and thereafter answered them directly, *That he was commanded by the King and Council to entertain him, which he would not forbear to do, for any fear he had of their censures*. This amongst other grievances of the Church was ordained to be represented to his Majesty by the Commissioners appointed to attend the Council at Perth. But touching this, the King answered, *That the excommunication was null, and declared such by the Council, as being pronounced against equity and all lawful form, no citation being used nor any admonition preceding, which all lawes, and even their own discipline appointed to be observed*. To their other grievances they received general answers, and for the brethren of Glasgow, their trial was continued to the tenth of September next.

The surprise
of the King at
Ruthven 23.
Aug. 1582.

The King stay-
ed from his
sport by the
Master of
Glamis.

Before which time the surprise of the Kings person at Ruthven fell out, which altered the state of all affairs, some of the Nobility combining themselves for defence of Religion and the liberty of the Kingdom (as they pretended) upon notice of the Duke of Arrans absence from the Court, placed themselves about the King, and detained him some dayes at the house of Ruthven. The principals in this attempt were John Earl of Marre, William Earl of Gowry, Patrick Lord Lindsay, Robert Lord Boyd, the Masters of Glamis and Oliphant, the Abbots of Dunfermlin, Paisley, Driburgh, and Cambushkeneth, the Lairds of Lochlevin, Easter Weemes, Clesgh, and the Constable of Dundy. The King at their first coming suspected there was some practise in hand, yet dissembled the matter, thinking to free himself the next day, when he went abroad to his sport; but as he was about to go, the Master of Glamis stept to the dore of the Parlour, and told him he must stay. The King askt the reason; he answered, he should know it shortly. When he saw it to be so, and found his liberty restrained, he grew into a passion, and after some threatening speeches burst forth in tears. The Master seeing him weep, said, *It is no matter of his tears, better that bairnes should weep, then bearded men*: which words entered so deeply into the Kings heart, as he did never forget them. The newes went quickly of the Noblemens being at Court in such numbers, which made the Earl of Arran haste thither, for he held himself assured of the Earl of Gowries friendship, as being of his alliance, and having kept one course in the pursuit of the Earl of Morton; his only fear was, that he should be stayed by the way, therefore having crossed the ferry, he singled himself from his company, and taking one only servant with himself, directed his brother William Stewart to keep the high way with the rest. By this mean he did escape those that lay in wait for him, and came in the evening to Ruthven; where, when he had entered the gate, he asked what the King was doing, as meaning to go directly to him, but was conveyed to another room, and told that he must have patience, and think his fortune good, that he was come to that place with his life saved; as he himself judged, when a little after he heard that the horsemen which lay in wait of him, and encountred his brother near unto Dublin, after divers wounds given him, had taken him prisoner.

Arran withhol-
den from the
the King.

The Duke of
Lennox sendeth
to enquire of
the Kings
Estate.

A day or two after, some Noblemen imployed by the Duke of Lennox, who remained then in Dalkiel, came to Court, but were not permitted to speak with the King, nor see him except in Council. Being examined what their business was, they told that the Duke of Lennox had sent them to learn of the King in what condition he was, and if he was detained against his will, as the rumour went, he might, with the assistance of other good subjects, see him made free. The King presently cried out, that he was captive, which he desired all his subjects know, and that the Duke should do what he might to procure his liberty. The Lords prayed his

his Majesty not to say so, "for that he should not be denied to go whither he pleased, only they would not permit the Duke of *Lennox* and Earl of *Arran* to mislead him any longer, and oppress both Church and Kingdom, as they have done. "Wherefore he should do well to cause the Duke retire himself quietly to *France*, "otherwise they would be forced to bring him to an accompt of his doings, and "proceed against him with rigour of law. This they willed the same Noblemen whom he had sent, to signifie unto the Duke, and that they were resolved to maintain what they had undertaken at the utmost hazard of their lives and estates.

After they were gone, the Kings anger being somewhat asswaged, and fearing the Dukes case more then his own, he was moved to send forth a Proclamation to this effect. "That for pacifying the present commotions, and removing some differences fallen out amongst the Nobility, his Majesty had thought it expedient "to interpose himself a Mediator; and for the better working of an union amongst "them, had resolved to make his residence in *Perth* for a time, till he saw what good "effects his travels might produce. And lest his stay in these parts should be interpreted to be a detention of his person, because of the Noblemen and others "that had lately repaired to Court, his Majesty declared, that it was his own free "and voluntary choice to abide there; and that the Noblemen and others who did "presently attend, had done nothing, but what their duties obliged them unto, and "which he took for a good service performed both to himself and to the Commonwealth. Therefore inhibited all the subjects to attempt any thing that might tend "to the disturbance of the Realm, commanding them also that had levied any forces upon pretext of his Majesties restraint, to dissolve the same within six houres "under the pain of death. This Proclamation was dated at *Perth* the 28. of *August*, some six dayes after the surprize of his person at *Ruthven*.

The Duke in the mean time was gathering forces, and grown to be strong by his friends and others that repaired unto him; when a letter came from the King, signifying that it was his pleasure, he should leave the Realm, and depart forth thereof before the 20. of *September*. The letter he communicated to his friends, who did all advise him to retire unto *Dumbrinton*, where he might with more safety stay for a while, and if he found not an opportunity to right himself, should have good occasion of shipping for *France*. When he was come thither, the resort of Noblemen and Barons, and others, were so great unto him, that the Nobility offending therewith, directed letters, charging him to live more private with his ordinary retinue, and all others that were in his company, to return to their houses within 12. houres after the charge, and not to come nigh the part where he remained, or should happen to reside, during the time of his abode in the Countrey.

The bruit of this change being carried to *England*, the Queen sent Sir *Henry Cary* and Sir *Robert Bowes* unto the King to advise him, in regard of the danger he was fallen into by the perverse counsels of the Duke and Earl of *Arran*, to take in good part the Lords enterprize, and restore the Earl of *Angus*, who had lived exiled in *England*, since the time of *Mortons* execution. This last they obtained with no great difficulty, so as the Nobleman was soon after reconciled, & accepted in favour: but to the first point, the King having a suspicion that the attempt was not made without the Queen of *Englands* knowledge, he gave good general answers, whereby it was hoped that upon the Noblemans good behaviour, in a short time his offence would be mitigated. The King also conceiving that a gentle usage would bring them to reconcile with the Duke of *Lennox*, began to give them a more gracious countenance then before. But he found them untractable, and not without great instance, did purchase their consents to a few dayes prorogation of his departing, upon promise that he should be pursued as a Rebel, if he went not away at the time appointed, wind and weather serving: yet was his going put off upon divers occasions till the middest of *December*, at which time he was forced to depart as we shall hear.

The Lords in the mean while careful to strengthen themselves, brought the King to *Halirudhouse* in the beginning of *October*, knowing that the people of *Edinburgh* did affect their enterprize, as appeared by the reducing of *John Dury* their Minister immediately upon the newes of the Kings restraint, and the triumph they made,

An. 1582.

The Duke of *Lennox* willed to retire to *France*.

A Proclamation declaring the Kings contentment with his stay at *Perth*.

The Duke is advised to go unto *Dumbrinton*.

An Ambassador from *England* September 12.

The Earl of *Angus* received in favour October 12.

The Lords bring the King to *Halirudhouse* Octob. 8.

singing

An. 1582.

An Assembly
of the Church
at Edinburgh.The Lords
send to ob-
tain the As-
semblies ap-
probation.The Assem-
blies ratifica-
tion of the
attempt at
Rathven.

singing as they went up the street the 124. Psalm, *Now Israel may say, &c.* They understood also that the Assembly of the Church was to convene in the same town the ninth of that moneth, and doubted not to find them favourable enough. To this Assembly Mr. William Areskin (styled then *Commendatory of Paisley*) was sent by the Noblemen to declare that the causes moving them to that enterprise, were the evident perill they perceived the Religion was brought unto, with the disorders and confusions introduced into the State: whereof having discoursed a while, he came in end to desire the Assemblies approbation of their proceedings, as that which would incourage them much, and dishearten the common adversary. This proposition made, first it was voyced, whether the dangers of the Church and disorders of State were such as in their hearing were related: which being affirmatively answered by the whole Assembly, Mr. James Lawson, Mr. David Lindesay, and Mr. John Craig were appointed to signifie unto the King what the Assembly had found, and to require his own judgement therein. The King esteeming it most sure for himself to temporize, said, *That he believed Religion was in hazard, and indirect courses taken to overturn the same, wherewith he acknowledged his own danger to be conjoynd; and for abuses crept into the Commonwealth, as they were too many, so he expected that all good subjects, and they for their own parts would help to remove the same.* This answer returned to the Assembly, they concluded an Act in this form.

Forasmuch as the Noblemen and others joyned with them in the late action of reformation, out of a desire to have the Church, and whole professors of the true Religion, understand the grounds and occasions moving them to repair towards the Kings Majesty, to seek redress of the disorders fallen out in the Commonwealth, have made publick attestation to the whole Assembly, that the motions and grounds of their enterprise were, and are, to deliver the Church of God within this Realm, and the true Religion therein professed, from the evident peril and danger wherein all men perceived the same to stand; as likewise to guard and preserve the innocent person of the King his Majesty and Estate, being in no less hazard then the other, and to remove the corruptions and confusion entered into the body of the Commonwealth: wherein as they are well perswaded themselves, to have done good service to God, and to have performed their duty to their Sovereign and countrey; so they wished all that feared God should judge and esteem well of their action, especially that the brethren of this Assembly should declare their good liking and approbation thereof, and ordain all the Pastors and Ministers within the Realm, to publish in their particular Churches the causes and grounds moving them to the said enterprise; exhorting all Noblemen, Barons, and other faithful subjects to give their best concurrence and assistance thereto. The Assembly having weighed the said desire with the whole circumstances thereof, have in the fear of God after mature deliberation resolved, found and voted, no man gainsaying, That not only the Church of God within this Realm, and true Religion professed in the same, but also the King his most noble person and royal estate, were and stood in extreme danger and hazard, besides the manifold grosse abuses that had invaded the Commonwealth before the late enterprise, which his Majesty had acknowledged and professed to the Commissioners of the present Assembly. And that therefore the said brethren could not but think their Honours, imploying themselves hereafter for averting the like dangers, to have done good and acceptable service to God, their Sovereign and native countrey. And the prosecution thereof, all partiality set aside, will be acceptable to all that fear God, and tender the preservation of the Kings person, and prosperous estate of the Realm. And to the effect the same may be made the more manifest and notorious, it is thought expedient that all the Ministers within the Realm upon the first occasion shall publicly declare unto their particular flocks the peril wherein the Church of God and true Religion, the King his most noble person, and estate stood, with the grounds that moved the said Noblemen unto the late action, recommending the same to the consideration of all good subjects, exhorting them as they tender the glory of God, and love the preservation of the King and countrey, faithfully to concur and joyne with the said Noblemen in prosecuting the said grounds to the full deliverance of the Church, and perfect reformation of the Commonwealth; And if any should be found either by word maliciously, or violently by way of deed, to oppose to that good cause, they shall be called before the particular Elderships, and order put unto them by the censures of the Church; and in case of their wilful and obstinate continuing therein, be dela-

ted

ted to the King and Council, to be punished for their offence civilly.

An. 1582.

This Act of the date the thirteenth of *October* 1582. was published in all the Churches of the Realm, to the offence of many good men, who were grieved to see a bad cause thus coloured and defended. But the Lords knowing that this approbation could not secure them, had laboured the King to convocate the Estates for the same purpose; The eighteenth of the same moneth being appointed for their meeting, there came to the convention for the Church estate, the Archbishop of *S. Andrews*, the Bishops of *Dunkeld* and *Orkney*, the Abbots of *Dunfermlin*, *Newbottle*, *Paisley*, *Driburgh*, *Cambuskenneth*, *Culross*, *Inchaffray*, *Coldingham*, and *Pittinweyme*; of the Nobility there were present the Earls of *Marche*, *Arrol*, *Marshall*, *Bothwell* (who some few moneths before returned from beyond Sea) *Marre*, *Rothes*, *Glencarn*, *Eglinton*, *Gowrie*, and *Morton*; the Lords *Lindesay*, *Home*, *Ogilvy*, *Hereis*, *Boyd*, and *Sinclare*. But from the Burghes there came not any Commissioners, nor could they be moved to countenance this action in any sort; conceiving, as it fell out, that how soon the King obtained his liberty, he would censure and condemn the fact as treasonable.

A Convention of the Estates at Edinburgh.

To these alwayes that convened the King had a speech, much to this effect, *That of all the vexations he had tried since his acceptation of the government in his own person, the distraction of the Nobility was the greatest, and at the present did grieve him most; for the removing whereof, he had called them together, and expected their best counsel and help. In other things, he said, that needed reformation, he would be willing to follow their advice.* One of the Lords, I find him not named, made answer, "that the dissensions of the Nobility were caused chiefly by some, that having his Majesties ear, did abuse his favours, ruling all things at their pleasure, and disdaining the advice of other fellow counsellors. Then falling into particulars he said, "that the Duke of *Lennox* and Earl of *Arran* had misgoverned all affaires, and brought divers abuses into the State, which unlesse some Noblemen had taken a course to remedy by their repairing to his Majesty, both Religion and State in a short time had been subverted. After this, the Earl of *Marre*, *Gowry*, and *Glencarne*, who had been the chief actors in that attempt, rose up, and having declared the cause, which moved them to take that action in hand, did humbly offer to submit themselves to the censure of his Majesty and the Estates, and thereupon removing themselves forth of the Convention, it was found and declared, *That in their repairing to the King upon the 22. of August last, and abiding with him since that time; they had done good, thankful, and necessary service to the King and countrey. Also that their taking of Armes, making of Conventions, entring in conflicts, taking and detaining of prisoners, contracting of leagues and bonds, and all other deeds done by them, which might appear to be against his Majesties authority, in so farre as the same was done without his Highness warrant, should be reputed, and esteemed good service done to the King and State. And that they and their partakers should be exonerated of all action, civil, or criminal, that might be intended against them, or any of them in that respect: Inhibiting therefore all the subjects to speak or utter any thing to the contrary, under the pain to be esteemed calumniators and dispersers of false rumors, and to be punished for the same accordingly.*

The Kings speech to the Estates.

The attempt of Ruthven declared to be good service.

This declaration passed, it was ordained that the Earl of *Arran* should be detained in the Castle of *Ruthven*, till the Duke was gone out of the Realm, after which he should be confined on the North of the water of *Fern*: and that four companies should be levied upon the publick charges, two of horsemen, and as many foot to guard the King and Noblemen, who did attend him, till the present troubles were quieted. Then were some grievances proponed in name of the Church, but these laid by till another time, the Lords not willing to irritate the King for such matters having once secured themselves.

The Earl of Arran ordained to be detained till the Duke was gone.

The Duke to keep the word which the King had given for his departing took shipping in the West parts, about the midst of *October*, and being hindred by contrary winds fell sick at Sea. The King advertised of his ill disposition, advised him to travel through *England* in regard of the winter season, and to remain at *Blackness* till a safe conduct was procured from the Queen. He had not stayed many dayes there, when a rumour was raised, as was thought, by his enemies, that he was to be brought again

The Duke falling sick at Sea, taketh journey by land.

44. 1582.

The Duke declining to see the King before he went away, is denied.

Two Ambassadors from France, *La Motte* and *Menevel*.

The purpose of association renewed.

to Court, and the Lords turned out, or used with more violence. This made a new stirre, whereupon the Lord *Hereis* was sent to command him to begin his journey and to be in *Berwick* the 22. day of *December*, he craved to see the King and be permitted only to salute him, but this being denied, he departed in great heavinesse.

In the beginning of *January* two Ambassadors arrived sent by the *French King*, the one named *Monsieur la Motte*, the other *Monsieur Menevel*: *La Motte* came by *England* (with whom came alongst, Mr. *Davidson* Ambassadour from *Queen Elizabeth*) the other by Sea, both having the same instructions, which were to work the Kings liberty in the best sort they could; to confirm his mind in the love he bare to the *French*, and to renew the purpose of *Association*. This last businesse was set on foot the year before, and almost concluded in this sort; That the *Queen of Scots* should communicate the *Crown* with her sonne, and both be joyned in the administration of affaires; that so he might be acknowledged for a lawful King by all *Christian Princes*, and all domestick factions suppressed. But upon the Dukes sequestering from Court, it was left off, and not mentioned again till now. The Assembly of the Church in the last meeting, had made this one of their special grievances, and complained of it as a most wicked practise. And now the Ministers of *Edinburgh*, hearing that purpose to be moved of new by the *French Ambassadors*, declaimed bitterly against them in their Sermons; especially against *La Motte*, who being a Knight of the order of *S. Esprit*, did wear the badge of a white Crosse upon his shoulder. This they called the badge of *Antichrist*, and him the Ambassadour of the bloody murderer, meaning the Duke of *Guise*, who they said, procured him to be sent hither.

The Ministers declared in their Sermons against the Ambassadors.

The Magistrates of *Edinburgh* desired to see the Ambassadors.

The Ministers proclaim a fast, Febr. 16.

It grieved the Ambassadors much to hear these out-cries, which daily were brought unto them, but perceiving the Kings authority not able to restrain the liberty, which the Preachers had taken; they did not complain, but urged earnestly their dimission. The King desirous to entertain the ancient amity betwixt the two nations, and dimit them with some contentment, desired the Magistrates of *Edinburgh* to give them the Feast before their parting. To impede this Feast, the Ministers did on the Sunday preceding proclaim a Fast to be kept the same day, on which the Feast was appointed: and to detain the people at Church, the three ordinary Preachers did one after another make Sermon in *S. Giles Church*, without any intermission of time, thundering curses against the Magistrates, and other Noblemen that waited on the Ambassadors by the Kings direction; nor stayed their folly here, but the Ambassadors being gone, they pursued the Magistrates with the censures of the Church, and were with difficulty enough stayed from proceeding with excommunication against them, for not observing the Fast they proclaimed.

The Duke of *Lennox* dieth at *Paris*.

26. May, 1583.

Of all this the King seemed to take no notice; for he saw not a way to repress these disorders, and much perplexed he was with the reports of the Duke of *Lennox* his death, who partly of grief, partly through the long and troublesome journey he made in that cold and rainy season, contracted a fever at his coming to *Paris*, whereof after a few days he died. Some hours before his expiring, there came to him a Priest or two, to do their accustomed service, whom he could not admit, professing to die in the faith of the Church of *Scotland*, and to keep the oath he had given to the King inviolate. This the King made to be proclaimed at *Edinburgh*, that the people might see what wrong the Duke had sustained during his abode in the Realm, by the uncharitable suspicions both of Ministers and others. But this belongs to the year following.

The King directs Ambassadors to *England*.

Mean while, the King ceaseth not to think of his own liberty, using all means to put the Lords that attended him, out of an opinion that he had any meaning to free himself. And the Duke being gone whom they feared most, they esteemed the danger the lesse, for *Arran* was not well loved because of his violent courses; and *Morton* who had the greatest following, was put from his charge in the Borders, and the same given to the Laird of *Johnston*; The King had likewise by their advice sent Colonel *Stewart*, and Mr. *John Colvil* in a joynt Commission to the Queen of *England*, to move her for restoring the lands in that Kingdome, which appertained to his Grandfather the Earl of *Lennox*, and the Lady *Margaret* his Grandmother; together with the by-run profits intromitted by the Thesaurer, or Master of Wards; as likewise to communi-

communicate unto her the course he had taken for quieting the Realm, and to desire her aid and assistance therein. Some instructions besides were given them to propound, as touching the Kings marriage, the matters of the Border, and the contracting of a defensive league; by all which they held themselves secured of his Majesties favour. But for the negotiation it sorted to no effect, by the contrary courses the two Commissioners took, after their coming to the Court of *England*. The King foreseeing the same, when they were first imployed, had moved Mr. *David Lindesay* Preacher at *Leith*, (a man wise and moderate) to accompany them, and pacify the contentions which possibly might arise amongst them; but their emulations were so great, as all he could do, scarce served to keep them from open discord.

An. 1583.

The negotiation took no effect.

Before I enter upon the accidents of the next year, the death of Mr. *George Buchanan*, which happened in the end of *September*, must not be passed, a man so well deserving of his countrey, as none more; he was of an excellent wit, and learning incomparable, born nigh to the Highlands within the Parish of *Killern*, and of the house of *Drumakill*; his Uncle by the mother called *Herriot*, took care to have him trained up in letters, perceiving his inclination to be set that way: wherein he profited so much, as he went beyond all his instructors; Nature, it seems, having formed him thereunto. In the year 1539 being called in question by the *Franciscan* Friars upon the malice they bare him for some bitter verses written against them, and their profession, which he did to please King *James* the fifth, whom they had in some things offended, he was committed, as suspected of *Lutheranisme*; but made an escape to *France*, where he lived a long time, and became acquainted with many learned men, with which that countrey did then abound. His paraphrase of the *Psalms*, a rare work, and other Poems, he wrote for most part, whilst he stayed abroad; and for his learning and quick ingenie was admired of all men. Returning into *Scotland* about the year 1560. after he had professed Philosophy some yeares in *S. Leonards* College within the University of *S. Andrews*, he was chosen to attend the King, and bring him up in letters. In his age he applied himself to write the *Scottish* History, which he penned with such judgement and eloquence, as no countrey can shew a better. Only in this is he justly blamed, that with the factions of the time, and to justify the proceedings of the Noblemen against the Queen, he went too farre in depressing the Royal authority of Princes, and allowing their controullment by subjects: his bitterness also in writing of the Queen, and troubles of the time, all wise men have disliked. But otherwise no man did merit better of his nation for learning, nor thereby did bring to it more glory. He died in a great age at *Edinburgh*, and was buried in the common place, though worthy to have been laid in marble, and have had some Statue erected for his memory. But such pompous monuments in his life he was wont to scorne and despise, esteeming it a greater credit, as it was said of the *Roman Cato*, to have it asked *why he doth lack a Statue, then to have had one, though never so glorious, erected.*

The life and death of Mr. George Buchanan.

The summer following the King found the occasion to free himself of his attenders. For being at *Falkland*, and pretending to visit his Uncle the Earl of *March*, who did then reside in the Abbey of *S. Andrewes*: after he had taken some little refreshment, he went to take a view of the Castle, accompanied with *Colonel Stewart* Captain of the Guard, to whom he had communicated his purpose, and having entered into the Castle, commanded the gates to be shut, and these that followed to be excluded. The Earls of *Argyle*, *Marshall*, *Montrose*, and *Roths*, came thither the next morning, and were all welcomed by the King. Of the Noblemen that had waited on him since his restraint at *Ruthven*, only the Earl of *Gowry* was admitted into the Castle, by the Colonels means; for he had sometimes followed him as a servant. The Earl how soon he came in presence fell on his knees, and craving pardon for the fact of *Ruthven*, did humbly submit himself to the Kings mercy, who after he had checked him in some few, but grave speeches, for his ingratitude to the Duke of *Lennox*, accepted him in favour, upon condition of a more loyal behaviour in time coming.

An. 1583.

The King freeeth himself of his attenders January, 28.

The Earl of Gowry confesseth his fault, and is pardoned.

Some few days the King abode in the Castle, and in a Council kept there the se-

An. 1583.

An Act following the service of Colonel Stewart.

The Earl of Arran called again to Court.

His Majesties Declaration touching the attempt of Ruthven.

The discontented Lords confined.

All of them (*Angus except*) for their disobedience were denounced Rebels.

Ambassage from England the beginning of September.

His Majesties answer to the Ambassador.

cond of July, made choice of the Earls of *March, Argyle, Gowry, Marshal, Montrose,* and *Rothes*, to remain with him, as Noblemen that he held of best judgement, most indifferent and freest of faction, the rest he commanded to retire to their houses, till he should take further order. In the same meeting was Colonel *Stewarts* service approved, and a Proclamation ordained to be made, charging all the subjects to contain themselves in quietnesse, and prohibiting any to come towards Court, accompanied with a greater number then was appointed; to wit, 15. with an Earl, as many with a Bishop, ten with a Lord, and as many with an Abbot or Prior, with a Baron six, and all these commanded to come in a peaceable manner, under great penalties.

Then the King to shew himself at liberty, went to *Edinburgh*, and from thence he went to *Falkland*, then to *Perth*, where he remained some weeks. Being there, the Earl of *Arran* by *Gowries* procurement was brought again to Court, after whose coming, a Declaration was published by the King to this effect.

“ We with advice of the Lords of our Privy Councel, having thought expedient to notify unto the world, but especially to all our good and loyal subjects, our true mind touching the things that fell out in the year past, declare the same to be as followeth. That is, howsoever for preserving of publick quietnesse, we did patiently endure the restraint of our person at *Ruthven*, with the secluding of our Counsellors from us, and all that ensued thereupon, yet did we take it deeply to heart, and did account no otherwise of it, then a fact most treasonable, attending till it should please God to restore us to our former estate and liberty: which having now by his goodness obtained, to make known our indifferent disposition towards all our good subjects, and that we do not seek the harm and ruine of any one whomsoever; we have resolved to forgive and forget all offences bygone, especially that which was committed in *August* last, and hath been since that time strongly maintained, providing the Actors and assisters do shew themselves penitent for the same, ask pardon in due time, and do not provoke us by their unlawful actions hereafter, to remember that attempt. Willing all our subjects, by the example of this our clemency (whereof some already have made proof) to discharge all quarrels amongst themselves, and not to malice one another for whatsoever cause bygone, all which we will have buried in oblivion; and to this have ordained publication to be made hereof in all the principal Burghs, &c.

The discontented Lords notwithstanding of this declaration, were still convening, and making the best provision they could for their own surety. For at *Arrans* hand, who had now the disposing of all things, they expected no good. The King hereupon took purpose to confine some of the principals in several countreys, and to commit others who were reckoned most turbulent. The Earl of *Angus* was confined beyond *Spey*, *John Lewingston* of *Dunypace*, and *Patrick Drummond* of *Carnock* in the countrey of *Galloway*, *Lochlevin* and *Buchan* in *Inverness*, the Master of *Glamis*, Abbot of *Dunfermlin*, and Lord of *Cleish*, were charged to enter themselves in the Castle of *Dumbriston*, *William* Commendator of *Paisley* in *Blackness*, and Mr. *John Colvil* commanded to keep Ward in *Edinburgh*. The whole (*Angus* only excepted) disobeying the charge, were denounced rebels; and Proclamations made, commanding all the subjects to be in readinesse for resisting the practises of seditious subjects. An oath also was taken of all the Kings domesticks, that they should not keep intelligence with any of the rebels or others known to be in his Majesties mal-grace; and at this time was Mr. *John Metellan*, who came afterwards to be Chancellour, admitted Counsellour of Estate.

The Queen of *England* being advertised of this alteration in Court, sent Sir *Francis Walsingham*, her principal Secretary to the King, to challenge him for breach of promise in readmitting the Earl of *Arran*, and casting off the Noblemen who had maintained his authority, and hazarded their lives and estates in defence of his Crown. The King answered, that he was a free Prince, and in ruling his affaires, might follow the course which he thought to be most convenient; that the Queen would

not take it well, if he or any other should direct her in matters that concerned her subjects; and for the promise alledged, he said, it was made in time of his restraint, to the performance whereof he was not tied. As to these subjects of whom the Queen seemed so careful, he said, that he had freely offered to pardon them, upon the acknowledgement of their offence, and promise of amendment; which he would faithfully observe, expecting of the Queen his sister, that neighbourhood which became Princes living in amity and friendship, and that she would not countenance his subjects in their rebellion.

An. 1583.

The Ambassadour replying, "Sir, the Queen my Mistress will never meddle with your affaires, but to work your good and quietness; Yet she taketh it unkindly, that the promises made unto her are so lightly regarded. One *Holt* an English Jesuit, who is thought to have an hand in *Throgmortons* treason, that was of late detected, being in your prison, at the request of the French Ambassadour was permitted to escape, whereas the Queen my Sovereign looked daily to have been delivered in England, as was promised. Nay, said the King, it was not promised, that he should be delivered, but as the Queen answered my Ambassadors, when I desired Mr. Archibald Douglas to be rendered, who is known to be guilty of my Fathers murder; I said that the man was charged with certain suspicious practises in my Kingdom, which I believed first to try; and if the Queen had been pleased to have delivered my subject to me, whom I had more then reason to remand, I would have made no delay in the rendering of *Holt*. But for his dimission or my connivence at his escape, there is no such thing; and if you know, or can learn that any indirect means have been used for letting him go, the trial and punishment of the doers shall clear my part. This said, the Ambassadour, (who was a most worthy and discreet Gentleman) declaring that he was satisfied, fell to speak of the preservation of peace betwixt the two Kingdomes, and of a new league to be made with the Queen; whereof the King did shew a good liking, and in these termes they left for that time.

The Ambassadour complains of a Jesuits escape.

His Majesties answer.

In October next, the Church Assembly convened at *Edinburgh*, where great regrades were made, and presented in certain Articles to the King; "First, they complained that the benefit of pacification was extended to Mr. *David Chalmers* a professed enemy to Religion, and suspected of the murder of his Majesties Father. Next, that Papists were grown too familiar in Court, and namely, the Laird of *Fintry*, who had made defection from the true Religion, in which he was educated. 3. That *Holt* a wicked Papist, sent to the countrey to traffique against Religion and the State, was suffered to escape, and no trial taken of the workers thereof. 4. That his Majesty seemed to favour too much the enemies of the truth, both in *France* and at home. 5. That he had received in his service men of dissolute life, and who had never given any testimony of their good meaning either to Religion or the state of the countrey, and put others from his service that were known to be zealous of Gods cause, and faithful to his Majesties self from his very tender age. 6. That since his acceptation of the government, the Church had received many fair promises without any performance, and that to the contrary the liberties and priviledges thereof were daily infringed. 7. That the thirds were set in taks or leases in defraud of the Church. 8. That Abbacies were disposed against the Acts of Parliament, and no care taken for provision of the Ministers that served at the Churches annexed. 9. That spiritual livings were conferred to children, and erected in temporal Lordships. 10. That there were no punishment for incest, adultery, witchcraft, and the like abominations. 11. That there was an universal murmur, that no man could be assured of his lands and life, the laws of the countrey being wholly perverted. 12. That his Majesty did interpose his authority to stay the execution of the Churches Acts, in matters properly Ecclesiastical. Lastly, they regrated the division of the Nobility, one part seeking the ruine and overthrow of another: for which they did intreat his Majesty to call unto himself the most wise and indifferent amongst them, and by their advice to take some moderate course for uniting the hearts of all good subjects to the maintenance of Gods truth, the preservation of his Highnesse person and estate, and the comfort of all that were grieved at the present division.

An Assembly of the Church.

Grievances presented to his Majesty by the Church.

An. 1583.

The King his
answer to the
grievances.

The King desiring to give the Church satisfaction, made answer the next day to all these particulars. And first, concerning Mr. *David Chalmers*, he said, that he was only forfeited for the common action for being at *Landside field*, for which pardon had been given to many, so as it should not be thought strange to give him the like benefit, especially at their request, who had moved him therein, and that he no ways intended to grant oversight to him or any others that should be found culpable of his fathers murder, or yet professed themselves adversaries to the Religion. Touching *Fintry* he said, that he had not impeded the proceedings of the Church against him or any other Popishly affected, nor had he been countenanced at Court, if the Ministers of *Edinburgh* had not testified that he was willing to conform. That for *Holts* escape, he had satisfied the English Ambassador, and that it was no uncouth thing to see a prisoner deceive his keepers. Concerning the intelligence he kept with forain Princes, for the entertaining of civil peace; that he did not think the Assembly would disallow it, seeing diversity of Religion made not leagues of friendship unlawful. And that they should meddle with the choice of his servants, he held it strange; This he hoped they would remit to himself, and not to be too curious in examining the occasions of their placing or displacing. And where they complained, that since his accepting of the government, the liberties of the Church had been re-fringed; he said, that since that time, more good and profitable lawes had been made for the advancement of true Religion, then ever before; and if any thing lacked in the execution, the fault was not his. For that which concerned the Church rents, he answered, that these things must be helped in Parliament, and that he should assist the reformation thereof at his power. As for the punishment of the abominations mentioned, that the fault could not be imputed to him, sith he was willing to give Commission to such as the Ministers should judge most fit for the execution of lawes. And for Ecclesiastical Acts which his authority was said to impede, he knew none of late, onely he had stayed the remove of Mr. *Alexander Arbuthnot* from the Colledge of *Aberdene* to be Minister of *S. Andrews*, which being rightly considered, would not be found prejudicial to the Church, nor impertinent for him to deal in. Lastly, for the murmur of people, perverting of lawes and difference amongst the Nobility, his Majesty said, that he was ready to hearken to any good advice, for reformation of that which should be found amisse.

The answer
did not satisfy
the Church.

The answers all most reasonable, and proceeding from the King, ought to have been well taken, but the discontent they had received for the late change in Court, made every thing distasteful, and still the displeasure betwixt the King and Church did grow as we shall hear.

Lodowick son
and heir to
the late decea-
sed Duke of
Lennox cometh
into Scotland,
Novemb. 13.

In the beginning of November, *Lodowick* (eldest son to the late Duke of *Lennox*) arrived at *Leith*, and was conveyed by the Earls of *Huntley*, *Crawford*, and *Montross* to the King, who lay then at *Kinneill*. Soon after the advertisement of the Nobleman's death, the King had sent the Master of *Gray* into France, to bring home all his children: But *Lodowick* excepted (who then was 13. years of age) the rest were young, and not able to indure so long a journey. The King receiving him with great expressions of love, did presently invest him in his Fathers lands and honours, committing the trust of his affairs to the Earl of *Montrosse*, till he should grow up to maturity; for his education in letters, Mr. *Gilbert Moncreef*, the King his principal Physician, was appointed to attend him, a man wise, and of good learning. Some years after two of his sisters were brought into the countrey; *Henrietta* the eldest was married to *George* Earl of *Huntley*, *Mary* the younger of the two to *John* Earl of *Marre*, to the third the King had provided an honourable match, but she having vowed her self to God, would not be wonne from the Cloyster by any perswasion; a younger son came to the King, after he went into England, and was by him advanced to great honours. Thus the untimely losse of their Father, did turn to the childrens benefit, by the constant and unmatched kindness of a loving King.

The King his
kindnesse to
the Duke his
children.

In the countrey matters grew daily more and more troubled. Those that disobeyed the charges given them for entering in Ward, pretended the time assigned for their entry, to have been so short, and the distance of the place so great, as there was no possibility in them to obey, yet under hand they were still seeking to strengthen themselves, and associate others to be of their faction. To take from them
this

this pretext the first of *December* was allowed them for their entring in Ward, and so many as should find surety to obey, had favour promised them. The Laird of *Braid*, *Colluthy*, Mr. *David Lindesay*, and Mr. *Andrew Hay*, were licenced also to conferre with them, and with all that had any part in the attempt of *Ruthven*, for informing them of his Majesties gracious inclination towards all of that number, who should acknowledge their offence, and live obedient and peaceably from thenceforth. But little or nothing was wrought this way, whereupon the King took purpose to convene the Estates this 17th of *December*, and having expounded his whole proceeding in that business, an Act was passed by an universal consent, of this tenour.

An. 1583.

A Convention of Estates.

“ Albeit the late surprize and restraint of our person perpetrated in *August* bygone a year, was a crime of *lese Majestatis*, hainous in it self, of dangerous sequel, and most pernicious example, meriting the more severe punishment, because the committers thereof for the most part, besides the allegiance and common duty of subjects, were specially bound to us by particular favours and benefits bestowed on them: yet out of our natural disposition to clemency, we resolved to reduce them by all gentle means to their duties; and not only forbore to use them with rigour, but made offer of pardon and mercy to such as would acknowledge their offence, and continue thereafter in a dutiful obedience; satisfying our selves with that moderate declaration which tended not in any sort to their detriment, and prorogating days and moneths, to see what they could perform. Hereof we gave our promise to the Queen of *England*, which was certified to them by divers, and of late by certain Ministers and well disposed Gentlemen, whom we licenced to conferre with them, for perswading them of our sincere meaning: behaving our selves in all this, as a kind Father that seeketh to recover his children, and not as a Prince that respected his estate. But our lenity not having produced the effects which were wished, we took counsel to assemble our Estates, and make them witnesses of our clemency, whatsoever might happen to their persons hereafter: and now by their advice we have determined to prosecute with all rigour, such of that number as shall continue in their disobedience, and shall not embrace the offers of pardon made unto them. In the execution whereof our Nobility and Estates convened, have solemnly promised their assistance, and for the greater authority both We and our said Estates have subscribed this Act with our hands. Further, by their advice We have ordained, and ordain the Act of Council past in *October* 1582. touching the attempt at *Ruthven*, to be delete forth of the Books, inhibiting all and sundry of whatsoever estate, quality, and degree, to allow by word, writing, or otherwise, the foresaid fact, which We (being now at liberty) and our Estates, have so publickly condemned.

Prorogation granted to those that were charged to enter in Ward.

An offer of pardon to those who will acknowledge their offence at *Ruthven*.

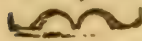
This Act made, the Earl of *Rothes* protested, that his subscription to the Act in *October*, 1582. approving the attempt of *Ruthven* for good service, should not be laid to his charge, seeing he did the same unwillingly, and by his Majesties special command and direction, like as soon after the committing of the fact, he had satisfied his dislike thereof. The King acknowledging the same to be of truth, made his protestation to be admitted. Then began all the faction to fall asunder, every man suing his pardon; which was granted upon condition, they should depart forth of the Realm, and not return without his Majesties licence. The Earl of *Marre*, the Master of *Glamis*, with the Abbots of *Driburgh*, and *Cambuskenneth*, went into *Ireland*; the Lord *Boid*, *Lochlewin*, and *Easter Weymis* unto *France*; others of the meaner sort were confined within certain bounds. The Earl of *Gowry* notwithstanding he was reconciled to *Arran*, fearing to be troubled, obtained licence to go into *France*; but whilest he delays to go, and putteth off his journey from day to day, he falleth into new practises, which brought him unto his end.

The Earl of Rothes his protestation.

The rest of the winter was quiet, but now and then the Court was kept in exercises by the Sermons of some Preachers, who were therefore called in question: *John Dury* Minister at *Edinburgh*, had in one of his Sermons justified publickly the fact of *Ruthven*: for which being cited before the Council, he stood to the defence of that he had spoken; yet after advice taken with Mr. *James Lawson* his Colleague, he was moved to submit himself to the King, who continued the declaration of his

John Dury questioned for allowing the attempt of *Ruthven*.

An. 1584.



Mr. Andrew
Melvil fleeth
into England.

pleasure, till he had proof of his better behaviour. The businesse with Mr. Andrew Melvil was greater, for he being cited to answer for certain speeches uttered by him in a Sermon preached at S. Andrewes, declined the judgement of the King and Councel, affirming, *That what was spoken in Pulpit, ought first to be tried and judged by the Presbytery, and that neither the King nor Councel might, in primâ instantiâ, meddle therewith, though the speeches were treasonable.* When by no perswasion he could be induced to submit himself; and that the King and Councel finding themselves Judges, did proceed to examine the witnesses; he burst forth in undutiful speeches against the King, saying, *he perverted the lawes both of God and man;* which unreverent words proceeding from a Divine, in whom moderation and humility should chiefly have appeared, did greatly offend the Councel. Thereupon was he charged to enter his person in *Blackness*, within the space of ten hours; but in stead of obeying, he turned his back, and fled that night to *Berwick*. Then did all the Pulpits sound, and every day were the Ministers exclaiming, *that the light of the country for learning, and he that was only most fit to resist the adversaries of religion was exiled, and compelled for safety of his life to quit the Kingdom.*

The King his
Proclamations
misregarded.

Pity it is to think how the King was then used, for though he cleared himself by Proclamations, shewing that the mans flight was voluntary, and that he meant not to have used him with any rigour, yet nothing was believed, and every where people began to stirr. Hereupon charges were directed, commanding those who had obtained leave to depart out of the Realm, to use the benefit of their licences, and inhibiting all intelligence by letters, or otherwise, with those that are already gone. This wrought not much, only made those that travelled to and fro with advertisements, the more wary and circumspect. The Earl of *Gowry*, to liberate himself of suspicion, came to *Dundy*, and conducting a ship, gave out that he would forthwith depart, yet still he lingred, attending the return of the Earl of *Marre*, and the Master of *Glamis* from *Ireland*, at which time he and others of that faction were to joyn and take Arms for reformation of abuses, the securing of Religion, and preservation of the King his person and estate; for that was made the pretext.

An. 1584.

Being at *Dundy*, he is apprehended by Colonel Stewart, April 16.

The King having notice given him of these practises, sent Colonel Stewart Captain of the guard, to apprehend the Earl of *Gowry*, who was suspected because of his lingring. The Colonel coming upon him unexpected as he lay in the house of *William Drummond*, Burgesse of *Dundy*, he made to defend the lodging, and stood to it some space; but the Town concurring with the Captain, he was forced to yield, and the next day conveyed to *Edinburgh*, and committed to the custody of *Arran*. A night or two after, the Earls of *Angus* and *Marre*, with some of their friends and followers, surprised the Town and Castle of *Striveling*, intending there to fortify themselves. But the suddain expedition which the King made, compelled them to fly into *England*, and leave the Castle victualled for some days, and in it a few Gentlemen, whom they promised to relieve. Such a readinesse the King found in his subjects at this time, as upon a short warning a greater Army and better appointed, was in no mans memory known to have been assembled. The Town of *Edinburgh* shewed a great forwardnesse; for both they advanced moneys to levy souldiers, and put divers of their own inhabitants in Armes to attend the King. It was the 19th of *April*, when knowledge was given first of the taking of *Striveling*, and before 24. all the Army was in readinesse to march. The same day advertisement came of the Rebels flight; whereupon the Wardens and Keepers of the Marches were directed to pursue them. The King himself with the Army marching towards *Striveling*, Alexander Master of *Levingston* was sent to inclose the Castle, which yielded upon the hearing of his Majesties approach, and was delivered in keeping to the Earl of *Arran*.

The Castle of
Striveling surprised April 18.

The King prepareth to go towards *Striveling*.

The Rebels flee into *England*.

The Castle rendered April 27.

Gowry examined touching the conspiracy.

The Earl of *Gowry* after he had been kept some days in *Kinneil*, was brought to *Striveling*. Before his transporting from *Edinburgh*, the Earl of *Montrosse*, the Lord *Down*, and Mr. *Robert Melvil*, were directed to examine him, and hopes given that he should find favour if he would discover the conspiracy, and what the Rebels had intended to do: he upon promise that what he declared should not be made

made an endictment against himself, disclosed all the plot, setting down the same with his own hand, as followeth.

“ Perceiving his Majesties favour altered towards me, by misreport of my friends, and my life and my living aimed at, I was of necessity forced to seek my relief by concurring with others of the Nobility, who laboured to secure themselves and their estates. And hearing that there was some trafficking betwixt the Noblemen in *Ireland* and others at home, I used all means, though I was suspected by them, to know what their courses and hopes were; after some diligence I made that way, I met with Mr. *James Areskin*, who travelled to and fro betwixt them. And he at first obscured himself from me, and would not be plain, till I promised my assistance: Then he shewed me, that he had been with the Earl of *Angus*, whom he found cold, and in some hope to make addresse for himself; and so lesse careful of their relief, who were absent. Yet he believed, if the Nobleman saw any good concurrence of others, he would give his assistance: but refused to deal in these matters, till they should return, and things be determined with a common consent. This I thought likewise fittest, but in the mean time I prepared to depart, and would have been gone, if contrary winds had not stayed me. The same Gentleman came afterwards unto me, and shewed that they were returned, and would shortly be seen at *Striveling*. This moved me to remain, albeit doubting of a sufficient concurrence of Noblemen, I was not resolved what course to take, and lay in a carelesse security at *Dundy*, more inclined to go then to stay. I protest always before God, that I never heard, nor was in counsel of any plot against his Majesties Person, Crown, or Estate, but only studied to keep my self from ruine by the assistance of others. At our meeting together, unto which time all was deferred, it was thought that a course should be taken by common advice, for securing our selves in his Majesties favour. And whereas I am asked what Noblemen were privy to the enterprize, and what was looked for from *England*, I will truly declare all, upon the firm assurance of his Majesties clemency. At home it was expected, that all those who subscribed the bond in that first alteration, would joyn themselves with us, and besides those divers others: namely, the Earl of *Marshal* and *Bothwell*, with the Lord *Lindesay*, and some of the West parts. So it was affirmed to me, but how truly I cannot say. From *England* we expected a supply, but no certain time was appointed, and it was said, that the Queen minded to intercede for restitution of the *Hamiltons*, if she found the King tractable. This is all I know, and if there be any other particular tending to his Majesties well or hurt, which I do not at the present remember, I shall plainly reveal the same, whosoever be offended therewith.

At his coming to *Striveling*, he sent to the King a letter penned in this form, “ Please your Majesty, it is neither diffidence nor despair in your Highnesse favour and clemency towards me, nor any desire I have to live in this world, that moves me to require some short audience of your Majesty. But there is a purpose of so weighty importance, which I desire to impart unto your Highnesse, which might have endangered the life and estate of your mother and your self, if I had not stayed and impeded the same, the revealing whereof may avail your Majesty more, then the lives and livings of 500. such as my self; most humbly therefore I beseech your Highnesse that my Petition may be granted. I assure my self of your Majesties gracious answer. *Striveling* the last of *April* 1584. In a Postscript this was added. “ The matter I have to speak, is not the concealing of treason, but the revealing of a benefit.

This Petition was denied, and the same made a part of his indictment, for being brought to his trial the fourth of *May*, Mr. *John Grahame* sitting as Justice, and assisted by Sir *John Gordon* of *Lochinvar*, *Alexander* Master of *Levingston*, *Alexander Bruce* of *Airth*, and *James Edminston* of *Dunraith*, he was indicted of four points. First, that in the beginning of *February* Mr. *David Home*, servant to the Earl of *Marre*, came to him privately in the town of *Perth*, under silence of night, and communicated to him the treasonable device of surprizing the Burghs of *Perth* and *Striveling*, at least of one or other of them; and that he agreed to the taking and fortifying

An. 1584.

His confession set down by himself in writing.

A letter from Gowry to his Majesty.

He is denied audience and put to the trial of a Jury.

The points of his indictment.

An. 1584

ing of the said towns, whereby he had incurred the crime of Treason, as well in concealing, as consenting to that wicked purpose. 2. That understanding Mr. *James Arskine* to be a trafficker betwixt *Marre*, *Angus*, and others, he did belay the ways, to the end he might speak with him, and after meeting kept conference with him, touching the surprize of the Castle of *Striveling*, and the furnishing thereof with men and ammunition. 3. That being charged in *Dundy* by his Majesties letters to render himself to the Lord *Pettenweyme* his Majesties Chancellor, and Captain of his Highnesse guard, he did enter into the house of *William Drummond* Burgesse of *Dundy*, and with his Complices defended the same by the space of 6. houres, making exclamations to the people, that he was pursued for Religion, and desiring them to aid and assist him. 4. That he being obliged to maintain his Majesties person, life, honour, and Crown, and having intelligence of a most weighty purpose, that concerned the life and estate of the King and the Queen his mother, he had treasonably concealed the same, and did as yet keep up the specialties thereof; albeit he professed, he knew it so perfectly, that in his letter written to the King, he saith, that it had not failed to have taken effect, if he had not stayed and impeded the same.

His exceptions
repelled.

The indictment read, he first excepted against *Lochinvar*, that he could not be assessor to the Justice in his trial in regard of the deadly enmity betwixt *Gariland* (who had married his Ladies sister) and him. This exception was repelled, because the propinquity alledged, was only *affinitas affinitatis*. Then he complained that the Noblemen who were sent to examine him, had not kept their word; having promised, that whatsoever he had confessed, should not be laid to his charge. It was answered, that the Noblemens word could not warrant him. Thirdly, he said, that being indicted for treason, he ought to have been cited upon 40. days, and a delation made by some accuser, which was not observed. The Advocate replied, that in matters of Treason the King might arrest any person upon the space it pleased him. Fourthly, he alledged the license granted him to depart the countrey. This was found nought, except he did therewith produce a respite or permission. To the last point of the indictment, he said, that what he offered to reveal, tended to his benefit if he had vouchsafed him hearing, and was no matter of treason. It was answered, that the concealing of that might tend to the hurt of the Kings life, and mothers, was treason.

The names of
the Assisers.

So the indictment was found relevant, and the persons of the Jury called. These were, *Colin* Earl of *Argile*, *David* Earl of *Crawford*, *John* Earl of *Montrosse*, *James* Earl of *Glencarne*, *Hugh* Earl of *Eglinton*, *James* Earl of *Arran*, *George* Earl of *Marshall*, *Alexander* Lord *Seaton*, *Hugh* Lord *Somervuil*, *James* Lord *Down*, *William* Lord *Levingston*, *Patrick* Lord *Drummond*, *James* Lord *Ogilvy*, *Alexander* Master of *Oliphant*, and *John* *Murray* of *Tillibardin*. They retiring themselves, as the custom is, and returning within a short space, pronounced him guilty: whereupon sentence was given, that he should be taken to the Market Crosse, have his head cut off, and be dismembred as a traitor. The last part thereof was dispensed, and he in the evening beheaded. His servants were permitted to take the head with the body, and bury it. This was the end of that Nobleman, who in his life was much honoured, and imployed in the chief offices of Court; a man wise, but said to have been too curious, and to have consulted with Wizards, touching the state of things in future times; yet was he not charged with this, nor seemed he to be touched therewith in his death, which to the judgement of the beholders was very peaceable and quiet. He was heard to make that common regret, which many great men have done in such misfortunes; *That if he had served God as faithfully as he had done the King, he had not come to that end*: but otherwise died patiently, with a contempt of the world, and assurance of mercy at the hands of God.

His execution
and manner of
death.

Archibald
Douglas and
another executed.

The same day *Archibald Douglas* (called *the Constable*) and Mr. *John Forbes*, servant to the Earl of *Marre*, were executed; the rest who were taken in the Castle, had their lives spared, and were banished the countrey, and *David Home* of *Argaty*, and one *John Shaw*, were pardoned.

The houses of
the Rebels
charged.

The King after this returned to *Edinburgh*, where he gave order for charging the houses of the fugitive Lords, and their friends; and upon information made, that

that certain of the Ministry had dealing with the Rebels, summons were directed to charge Mr. *Andrew Hay* Parson of *Ranfrew*, Mr. *Andrew Polwart* Subdean of *Glasgow*, Mr. *Patrick Galloway*, and Mr. *James Carmichael* Ministers, to compeer before the Council. Mr. *Andrew Hay* compeired, and nothing being qualified against him, was upon suspicion confined in the North. The other three not compeiring were denounced Rebels, and fled into *England*.

An. 1584°



Ministers called in question for the conspiracy.

The Parliament declared current at the time, for the more speedy dispatch of business, convened the 22. of *May*: In it his Majesties declaration concerning the attempt of *Ruthven* was ratified; The King his authority over all persons, in all causes confirmed; The declining of his Majesties judgement, and the Councils, in whatsoever matter, declared to be Treason; The impugning of the authority of the three Estates, or procuring the innovation or diminution of the power of any of them, inhibited under the same pain. All jurisdictions and judicatures, spiritual, or temporal, not approved of by his Highnesse, and the three Estates discharged, and an Ordinance made. *That none, of whatsoever function, quality, or degree, should presume privately or publickly, in Sermons, Declamations, or familiar conferences, to utter any false, untrue, or slanderous speeches, to the reproach of his Majesty, his Council, and proceedings, or to the dishonour, hurt, or prejudice of his Highnesse, his parents, and progenitors, or to meddle with the affaires of his Highnesse and Estate, under the pains contained in the Acts of Parliaments made against the makers and reporters of lies.*

Whilest these statutes were in framing, the Ministers who were informed thereof, to work at least a delay, sent Mr. *David Lindesay* to intreat the King that nothing should pass in Act concerning the Church, till they were first heard. *Arran* getting intelligence of this, caused arrest him, as one that kept intelligence with *England*; so as he was not permitted to come towards the King. The first night he was kept in *Halirudhouse*, and the next morning sent prisoner to *Blackness*, where he was detained 47. weeks. Mr. *James Lawson*, and Mr. *Walter Balcanquell* Ministers of *Edinburgh*, hearing that he was committed, forsook their charge, and fled into *England*, leaving a short writing behind them, to shew the reasons of their departing.

Mr. David Lindesay Minister at Leth committed.

The Ministers at Edinburgh flee to England.

John Dury some weeks before was removed and confined in the Town of *Montrousse*, so as *Edinburgh* was left without any Preacher. Mr. *Robert Pont* Minister of *S. Cuthberts*, and one of the Senators of the Colledge of Justice, because of the misregard of the Church, as he pretended, in concluding these Acts (as the Heralds were proclaiming them according to the Custome) took instruments in the hands of a Notary of the Churches disassenting, and that they were not obliged to give their obedience thereto; which done, he likewise fleeing, was denounced Rebel, and put from the place in Session.

Mr. Robert Pont protesteth against the Acts.

Rumours hereupon being dispersed. that the King was declined to Popery, had made divers Acts to hinder the free passage of the Gospel, and abolish all order and policy in the Church; Command was given to form a brief declaration of his Majesties intention in those Acts that concerned the Church, and to publish the same for detecting the falshood of those rumours. In this declaration the occasions that enforced the King to the making of these statutes, were particularly set down, and the equity thereof maintained by divers reasons. Amongst the occasions were reckoned the allowance of the fact of *Ruthven*, by the assembly of the Church; Mr. *Andrew Melvil* his declining of the King and Council; the fast kept at the feasting of the *French* Ambassadors; general fasts indicted through the Realm, without the King his knowledge; the usurping of the Ecclesiastical jurisdiction, by a number of Ministers and Gentlemen; the alteration of the lawes at their pleasure, and a number of like abuses. And for satisfying good people, strangers as well as subjects, touching his Majesties good affection towards the maintenance of Religion; certain Articles were drawn up and subjoyned to the said Declaration, to make it appear that his Majesty had intended nothing but to have a settled form of policy established in the Church.

But these things gave not much satisfaction (so great was the discontent) and were replied unto in Pamphlets, defamatory libels, and scurril poems, which daily came

Libells and pamphlets against the Rulers of the Court.

An. 1584.

A letter from
the Ministers
of Edinburgh
to the Session
of the Church
and Council
of the Town.

came forth against the Court, and the rulers of it. To furnish the vacant places of *Edinburgh*, till some were moved to undertake the charge, the King did appoint his own Ministers, Mr. *John Craig*, and Mr. *John Duncanson*, the Archbishop of Saint *Andrews* supplying the ordinary preaching at Court. Soon after, there came a letter from the Ministers directed to the Session of the Church at *Edinburgh*, and to the Council of the town, of this tenour.

“ That seeing they were assured many calumnies would be forged against them for
“ absenting themselves from their flock; they had good to write unto them the true
“ causes thereof; which were as they said, The great indignation conceived against
“ them by the rulers of the Court, for resisting the dangerous courses then in hand;
“ the Acts made in the late Parliament repugnant to the word of God and doctrine
“ oftentimes by them preached; the iniquity committed in the passing the said Acts,
“ and violence, wherein they were defended; the Articles penned and presented
“ to some Ministers for submitting themselves to the tyrannical Regiment of Bi-
“ shops, whom they called *gross libertines, belly-gods, and infamous*; the charge gi-
“ ven to the Provost and Bayliffes of *Edinburgh*, to take and apprehend all Mini-
“ sters that should convene to the Eldership, and those that in Sermon should utter
“ any thing against the Acts, and present unhappy course; with the insolent words
“ cast forth against them, That if they followed the same course they were in, though
“ their heads were as haystacks, they should be laid at their heels. These things
“ they said did cast them in a grievous temptation; for to go from their good course
“ they could not, unlesse they should be traitors to God; to continue in it and stay,
“ would be counted treason against the King, and be hazardous of their flock that
“ was charged to apprehend them, in case of condemning these Acts which, they
“ could not do, and that after a long wrestling, they had resolved to depart and
“ reserve themselves to better times, which they were assured was the pleasure of
“ God, and that he would make the world understand that he had his own work in
“ it. In end beseeching them to stand to these things which they had heard from
“ them, and imbraced as the truth of God, they forewarned them of wolves that
“ should intrude themselves, teachers that sought themselves and not *Christ Jesus*;
“ which often they had foretold the contempt of the truth would work: And con-
“ cluded with an hope that they should sustain the present Crosse patiently, and be
“ united to them again in God his good time.

By the Kings
direction an
answer is re-
turned in this
form.

The King hearing of this letter sent for the same, and offending greatly thereat, would have the Session and Council to answer them in this form.

We have received and read your letter, for the which offence we have humbly craved his Majesties pardon, and not only obtained the same, but have likewise purchased liberty to write unto you this present, wherein we use you more charitably then ye have used us, remitting to learned men and your own consciences to shew you, seeing you are not blinded with ignorance, nor lack learning (at the least some of you) how farre ye have strayed from the right way in your letter lately sent to us; unreverently affirming his Highnesse Acts of Parliament to be repugnant to the word of God: we tell you that the same do fully content and satisfy us, seeing we can find no part of Scripture that is contrary thereto. And sith we see by the first Act, the liberty of preaching the Word, as the same is presently professed, and ministration of the Sacraments ratified and allowed, and that we know there are wise men, and fearing God amongst the Estates who concluded these Acts; we are resolved to follow the Apostles counsel in Rom. 13. whereunto you did seldom exhort us. And now in respect you have so contemptuously slandered these good and necessary lawes established by his Majesty and the Estates, and laboured so farre as you can to draw men unto dislike thereof, fled out of the Realm unchallenged, and unpursued, and thereby have not only declared your selves guilty, but also misbehaved your selves to us your late flock; first, in leaving us without our knowledge, against your duty, and the conditions made unto us; next in drawing upon us his Majesties suspicion, that we foreknew your departure, which of new ye have confirmed by sending a letter to us, you being his Majesties Rebels and fugitives; In respect we say, of all the foresaid causes, we by these presents discharge our selves unto you, esteeming our selves no longer your flock, nor you any more our Pastors; and thanking God the revealer of secrets, that he hath made you manifest to your shame, and
relieved

relieved us of wolves in stead of Pastors; Thus hoping his Majesty will provide us of good and quieter spirited Ministers, we commit you to Gods mercy, who may give you to repent of your foresaid offences. An. 1584.

This letter sent to the Councel and Session of the Church to be subscribed made a great businesse, the Town fearing to displease the King, and to discharge with their Ministers in such a form, laying upon them the reproaches of *Fugitives, Rebels, Wolves*, and the rest, they thought would be ill taken of all good men, yet after much ado, sixteen of the principals put their hands unto it, and so was it dispatcht. The Ministers having received and read the letter were mightily grieved, especially Mr. *James Lawson*, who had taken greatly to heart the troubles of the Church, and the advertisements which were given him of the successe of matters at home; and now perceiving by this letter, that some who professed themselves very forward in the cause, had turned their backs upon it, he fell in a great sorrow, and thereby contracted a sicknesse, whereof he died at *London* in *October* following. A man he was of good learning and judgment, of a pious and peaceable disposition, but carried too much with the idle rumours of the people. After his course of studies passed in the University of *S. Andrews*, he was imployed by the Countesse of *Crawford* a Noble Lady, to attend her three sonnes, whom she sent to *France*, and upon their return to shew his gratitude unto the School wherein he was educated, gave himself to read the *Hebrew* tongue to some youths in the same University; from thence he was called to be Principal in the old Colledge of *Aberdene*, and after three years profitably spent in that place, was brought, as we shewed before, to *Edinburgh*, where he continued Preacher the space of 12. years, in great esteem and reputation, untill these unhappy times, which bereft his Church and countrey of him and his labours. He died in the 46. year of his age, and was buried in the new Church yard of *London*, at the side of Mr. *Dearing*, a famous Preacher in that Church.

The letter grieveth the Ministers exceedingly.

Mr. James Lawson died at London.

His death bringeth to mind other two learned men in this Church, Mr. *Alexander Arbuthnet*, and Mr. *Thomas Smeton*, the one Principal of *Aberdene*, and the other of *Glasgow* Colledge, who in the end of the last year nigh about the same time departed this life, to the great losse both of the countrey and Church; The first a Gentleman born of the house of *Arbuthnet* in *Mernis*, being trained up in the study of letters, and having the course of Philosophy in the same Colledge with Mr. *Lawson*, went to *France* at the age of twenty three years; there applying himself to the laws, he lived five years an Auditor of that great Doctor *Cuiacius*, and being made licenciate, returned to *Scotland* in the year one thousand five hundred three-score and six, of purpose to follow that calling, but God otherwise disposing, in the year 1569. he was made Principal of the Colledge of *Aberdene*, where by his diligent teaching & dexterous government, he not only revived the study of good letters, but gained many from the superstitions, whereunto they were given. He was greatly loved of all men, hated of none, and in such account for his moderation with the chief men of these parts, that without his advice they could almost do nothing: which put him in a great fatherce, whereof he did often complain. Pleasant and jocund in conversation, and in all sciences expert; a good Poet, Mathematician, Philosopher, Theologue, Lawyer, and in medicine skilful, so as in every subject he could promptly discourse, and to good purpose; he died in the 45. year of his age much lamented, and was buried in the Colledge Church at *Aberdene* the 20. of *October* 1583.

Mr. Alexander Arbuthnet his death.

Within some few dayes he was followed by Mr. *Thomas Smeton*; this man born in *Gaske*, a little Village not farre from *Perth*, studied Philosophy in *S. Salvators* Colledge at *S. Andrews*, under Mr. *William Cranston* at that time Provost of the House, by whose perswasion he went beyond Sea, and after he had remained a while at *Paris*, took journey to *Rome*, where entering the society of the *Jesuits*, he abode three years. Thereafter coming home for some private businesse, when he had settled the same, he returned to *Paris*, and kept still in that Society: in the year 1571. *Thomas Metellan* travelling through *France* into *Italy*, did request his company in that journey, whereunto he yielded, and went with him to *Italy*; but the Gentleman contracting sicknesse by the way, and dying, he returned by

Mr. Thomas Smeton his death.

Geneva;

An. 1584.

Geneva, and was there confirmed in the Religion to which a little before he was inclining when he went to *Paris*; after he had revealed himself to some Principals of the Society, he forsook their profession, and was in danger to have been killed at the Massacre, which fell out at the same time, but by the favour of Sir *Thomas Walsingham* the English Ambassador, he was saved, and came in his company to *England*. Five years he remained at *Colchester* in *Essex*, teaching some youths of the countrey, and in the year 1578. returned into *Scotland*. In the year 1580. upon the remove of Mr. *Andrew Melvil* to the new Colledge of *S. Andrewes*, he was chosen Principal of the Colledge of *Glasgow*, and taught the controversies there some three yeares, with great profit; he was a man learned in the languages, and well seen in ancient Fathers, the reading of whose works he did ever seriously recommend to the youth. The answer he penned in defence of this Church against Mr. *Archibald Hamilton* and other dictates, which are yet in the hands of his disciples, do shew his worth, and the losse this Church received by his death, he deceased at *Glasgow* the 6. of *December*, 1583. in the 47. year of his age, and was buried in the Cathedral Church.

The Ministers
charged with
the subscrip-
tion of certain
Articles.

These deaths falling so quick one after another, were taken to be a presage of great troubles in the Church, nor was it long before these sturres happened, of which we have spoken. All this Summer the same continued. the Ministers being daily called before the Councel, and a great businesse made of their subscription to certain Articles which concerned their obedience to the Bishops; they who refused, had their stipends sequestrated, which caused a great outcrying amongst the people, and made the Rebels to be more favoured. The King to rid himself of these vexations, did call the principal Ministers, and having shewed that all his desire was to have the Church peaceably governed, and a decent policy established, he willed them to set down in writing the Reasons which moved them to refuse subscription, that he might consider the same, and satisfy their doubts. They choosing rather to propound the same by word of mouth, were after some conference induced to set their hands to the Articles; this clause being added [*agreeing with the word of God.*]

Mr. Nicoll Dal-
gleish condem-
ned.

Yet new occasions of trouble were still breaking forth, upon information that Mr. *Nicoll Dalgleish* Minister at *S. Cuthberts*, did in his publick prayers remember the exiled brethren; he was called before the Councel, and accused for praying for the Kings Rebels, as also for keeping intelligence with them by letters. The Minister confessed his praying for the brethren, maintaining the same to be lawful, but the intelligence he denied; only granted that he had seen a letter written by Mr. *Walter Balcanquell* to his wife, wherein he was kindly remembred. The King offended with his answers, commanded the Advocate to pursue him criminally, which was done the next day. At his appearing before the Justice, when he heard the indictment, he said, *That he ought not to be questioned for one and the same fact before two Judicatories, and that having answered these points before the Councel, he should not be put again to it.* The Advocate replying that the Councels proceeding could not stay the criminal Judge, he was commanded to answer, and to do it advisedly, seeing it concerned his life. *If I must answer,* said he, *I do not think that I have offended in praying for my brethren, who are in trouble, and for the letter I saw, if the concealing thereof be a fault, I submit my self to his Majesties will.* The Jury proceeding, declared him guilty of treason, yet the sentence was continued, and he sent to the *Tolbuith*, where he remained some moneths, and in end upon his supplication was pardoned, and put to liberty.

David Home
and his brother
executed.

In the same Court *David Home* of *Argathy*, with *Patrick Home* his brother, were condemned to die for keeping intelligence with the Commendatory of *Driburgh*, and in the afternoon executed: Yet was it no matter of State, but some private accounts, that rested undischarged at his parting forth of the Countrey, wherein they had interchanged one or two letters. This severity was universally disliked, but that which shortly after ensued, was much more hateful. To breed a terrour in people, and cause them abstain from communicating in any sort with the exiled Lords a Proclamation was made, *That whosoever should discover any person offending in that kind, should besides his own pardon, receive a special reward.* Hereupon did one *Robert Hamilton* of *Eglismachan*, delate *Malcolm Douglas* of *Mains*, and *John Cunningham* of *Drumwbasill* for having conspired to intercept the King at hunting. and

Robert Ham-
ilton of Eglism-
achan delateth
the Lairds of
Drumwbasill
and Mains.

detain

detain him in some strong hold, till the Lords might come and receive him. A meer forgery, yet gladly hearkened unto by those that desired to be rid of them; for they were both Gentlemen of good respect, and mistrusted of the Court, *Mains* especially because of his valour and manhood. To make out the accusation, it was devised, that Sir *James Edmonston* of *Dunraith*, who had lived in great familiarity with them, should be charged with the said crime, and upon his confession to be pardoned; which by the policy of the accuser, to his own perpetual discredit, he was menaced to yield unto.

An. 1584.
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Matters thus dressed, Colonel *William Stewart* was sent to apprehend them, who finding them in their own houses, did without any resistance bring them prisoners to *Edinburgh*. The ninth of *February* they were presented before the Justice, Mr. *John Ghrame* sitting as Deputy, and Mr. *Edward Bigace* as Assessor, beginning made with *Dunraith*, he was indicted for conspiring with *Mains* and *Drumwhasill*, (the accuser *Hamilton*) and others for taking and detaining the King, in the manner aforesaid, which was said to be plotted by the Earl of *Angus*, and imparted to him and the rest on pannel, by *John Home* commonly called *black John*: he without making any defence, confessed all, betaking him to the Kings mercy. *Drumwhasill* accused of the same conspiracy, and of consulting with *Dunraith* thereupon, at the Churches of *Strablen* and *Killern*, was further charged with the treasonable attempt of *Ruthven*, whereof he had been partaker. What he answered, I find not in the process, but when *Mains* his indictment was read, he denied all, and so cleared himself by the unlikelyhood, and their impossibility to compass a businesse of that importance, to all that were present, as in their hearts they did pronounce him innocent. Notwithstanding they all three were convicted and declared guilty of treason; doom was only pronounced against *Drumwhasill* and *Mains*, and they the same day hanged in the publick street of *Edinburgh*. The Gentlemens case was much pitied, *Mains* his case especially; *Hamilton* who made the delation, lived after this in a continual fear, and abhorred of all men, he kept still in the company of *Arran* unto the alteration of Court at *Striveling*, at which time *James Johnston* of *Westray*, pretending a vow that he had made to revenge *Mains* his death, did kill him as he was flying through the Park, on the South side of the Town.

*Drumwhasill* and *Mains* put to a trial.

They are found guilty and executed.

The unhappy end of *Hamilton* the delator.

These cruel and rigorous proceedings caused such a generall fear, as all familiar society and intercourse of humanity was in a manner left, no man knowing to whom he might safely speak, or open his mind. *Arran* in the mean time went on, drawing into his own hands the whole managing of affairs, for he would be sole and supreme over all. The Earl of *Argile* having departed this life the year preceding, he was created Chancellour. The office of Secretary he gave to Mr. *John Metellan*, *Lethingtons* son, having banished the Abbot of *Dunfermlin*, who formerly possessed the same. The Castles of *Edinburgh* and *Striveling* he had himself in custody, then made himself be chosen Provost of the Town; and as if all this had not been enough, he was declared General Lieutenant over the whole Kingdom. In a word, whatsoever he was pleased was done, and without him nothing could be done. This stirred up great emulation against him in Court. The Master of *Gray*, a great favourite at that time, did take it disdainfully, that every thing should be governed by him; Sir *Lewis Ballenden* Justice Clerk, a man of brave spirit, did also hardly endure it; and Mr. *John Metellan*, though he had followed still from *Mortons* execution to that time, began to fall away and work his own credit: those things were cunningly dissembled as among Courtiers, and all outward respect given him by those that were plotting his ruine.

*Arran* his power, and credit at Court.

To his felicity nothing as he thought was wanting but the friendship of *England*; this he was advised by the Master of *Gray* to seek by the Lord *Hunsdons* means, who lay then Governour of *Berwick*: a meeting whereupon wrought betwixt them, and at *Foulden* some three miles from *Berwick* (whither *Arran* went) matters so dressed, as upon the assurance of his service to the Queen of *England*, it was promised that the exiled Lords who lay near the borders, waiting to raise some stirres, should be called to *London*, and upon verification of the conspiracy wherewith *Mains* and the rest were charged, put forth of *England*. In this hope the Master of *Gray* is

*Arran* labour-eth to gain the Queen of *England*.

12. August



An. 1585.

The Master of  
Gray sent into  
Scotland the  
beginning of  
October.

The Arch-  
bishop of S. An-  
drews sent into  
England.

The Queens  
answer to the  
Master of  
Gray.

The Justice  
Clerk directed  
into England,  
April 1585.

The banished  
Lords challen-  
ged by the  
Justice Clerk.

Arran draweth  
much envy up-  
on himself.

His falling out  
with the Lord  
Maxwel.

sent into *England*, and Commission given him for remanding the fugitive Rebels; or if that could not be obtained, for removing them further off from the Borders of *Scotland*: more privately he was desired to use all means for winning the Queens favour to the Earl of *Arran*. And for preparing the way to his Legation, the Archbishop of *S. Andrews* was sent some weeks before to inform the Queen of the King his sincerity in Religion, because of the rumour which the Ministers who fled thither, had dispersed to the contrary. The Queen professing to have received great content by his information, recommended to the King above all things, constancy in his profession, assuring him in that case of her unchangeable friendship.

The Master of *Gray* at his coming had favourable acceptance, though he was known to be a Catholick *Romane*; and for the point of remanding was answered, that she did not think those Gentlemen whom the King called Rebels, intended any harm to his person, but if the contrary was made to appear, they should be suffered to remain in her Kingdomes: And for that the King required touching their further remove from the Borders, the same was promised, and the Lords accordingly called from thence, and commanded to stay at *Normich*. This answer reported to the King by the Master of *Gray* at his return, drew another Legation, wherein Sir *Lewis Pallenden* Justice Clerk was employed, the thing committed to him was the accusation of the banished Lords, and verifying against them the conspiracy for which *Mains* and *Drumwhasill* had suffered.

The Lords upon this were brought from *Normich* to *London*, and there challenged by the Ambassadour, who as appeared, insisted with great fervour against them; But the Master of *Glamis* answering for the rest, made their innocency in that particular to be clearly seen, which was heard no lesse willingly by the Judges, then delivered by the Speaker. Neither was the accuser any worse minded towards them for all the shew he made; and at the same time were grounds laid, both for their restitution, and *Arran* his subversion; the Queen and Councel of *England* being privy to all, and secretly advancing their enterprize. *Arran* in the mean time had assurance given him of the Queens friendship, and supposing all things to be right, went on in his accustomed manner, not caring what enmity he drew upon himself. The Earl of *Athol*, the Lord *Horne*, and Master of *Cassils*, were committed to prison. The first because he refused to divorce from his wife (a daughter of the Earl of *Gowry*) and intaile his lands to him; the next for that he denied him his part of the lands of *Dirleton*; and the third for denying him a loan of some moneys, which it was thought he might spare.

His last falling out in that kind, was with the Lord *Maxwel* for an excambion of the Barony of *Mernis*, and the lands of *Maxwel* heath, with the Barony of *Kinnel*, which he possessed by the forfeiture of the *Hamiltons*. *Maxwel* not liking to change his old inheritance, with such a new and uncertain purchase, excused himselfe, and would not hearken to the change, but he thinking to force him thereto by some indirect means, travelleth with the Lady *Johnston*, who gave attendance at Court, to cause her husband to accept of the Provostry of *Dumfreis*, and moveth the King to write unto the Town, to elect *Johnston* their Provost; for that he being Warden of the West marches, would thereby be made more able to keep good order in these parts. *Maxwel* interpreting this to be done, as it was, to his disgrace; at the time of Election convoked his friends, and debarring *Johnston* from entring the Town, procured himself to be continued in the office. Hereupon informations were made to the King, that there could no quietnesse be expected in these parts, unlesse *Maxwel* his power was curbed. Charges were also directed to cause him present certain of the name of *Armestrong*, for whom he was obliged; which he not performing, was denounced Rebel, and Commission given to the Laird *Johnston* to pursue him; for whose better enabling he had two companies of hired souldiers allowed him, under the charge of two Captains, *Lamby* and *Cranston*. *Maxwel* hearing of these preparations, gathered his forces, and with a part thereof sent his natural brother *Robert Maxwel* to intercept the two Captains, ere they should joyn with *Johnston*. They encountering in the Moore of *Crawford*,



*Crawford*, after a sharp conflict the Captains were defeated, *Lamby* and most of his company killed, and *Cranston* with divers others taken prisoners.

*Johnston*, lest he should be thought to do nothing, did then make incursions upon *Maxwells* lands, raising fire, and carrying away great spoyle: which *Maxwel* repayed with the burning of the house of *Lockwood*, and the slaughter of some of *Johnstons* in *Annandale*. And thus did they make warre one against another, till it happened that *Johnston* in a certain conflict was taken by *Maxwel*, and made prisoner. The grief of this overthrow gave *Johnston* shortly after he was liberated his death, but the wrath of the Court still continuing, a convention of the Estates was called to suppress *Maxwel*, and a Subsidy granted of 20000. pounds for levying of soldiers to pursue him. Thereafter, all that could bear Armes dwelling on the South of *Forth*, were commanded to be in readinesse for attending the King in an expedition that he intended towards these parts. But the plague breaking out in *Edinburgh*, did rage so vehemently all that summer, as nothing could be done; so the expedition was put off for certain moneths.

Mean while, there fell out an accident which did quite alienate the Queen of *Englands* favour from *Arran*. Sir *John Forrester* and *Thomas Kar* of *Farnherst*, Wardens of the middle Marches, being met for restoring some goods taken from the *English*, a tumult fell out wherein Sir *Francis Russel* sonne to the Earl of *Bedford* was killed; this was laid upon *Farnherst*, and he said to have done it by *Arrans* instigation: for they two were at that time in great friendship. And when the Queen did require *Farnherst* to be delivered, *Arran* did strongly oppose it, yet the King for her satisfaction did confine them both, the one in *S. Andrews*, and the other in *Aberdene*. *Arran* after a little time was relieved to his house at *Kinneil*; the other contracting sickness kept bed a long space, and as was thought died of displeasure at *Aberdene*. A man he was of an haughty spirit, and had endured much trouble in the service of the Kings mother, which he esteemed should have made him better respected, then as he conceived he was.

Shortly after this accident, Sir *Edward Wotton* was employed in an Ambassage from *England*, for contracting a league offensive and defensive with the King in the cause of Religion. For then came that holy league, as they called it, to be discovered; which the *Pope*, the *Spanish King*, the *Guises* and others had made to extirpate the Reformed Religion. The Queen of *England* understanding her self to be principally aimed at, found nothing better then to make a counter-league with the Princes reformed: and to that effect sent Sir *Thomas Bodley* to treat with the King of *Denmark*, and the Protestant Princes in *Germany*, and at the same time employed Sir *Edward Wotton* towards the King. The motion did so please him, as presently he called the Estates at *S. Andrews*, and having in a long and pithy speech expressed the dangers threatened to Religion, with the necessity that the reformed Princes had to unite themselves strongly together, procured the Act following to be concluded.

We the Nobility and Estates presently convened, understanding that divers Princes and Potentates who term themselves Catholicks, have joyned under the Popes authority in a most unchristian confederacy against the true Religion and Professors thereof, with full intent to prosecute their wicked resolution, not only within their own estates and dominions, but likewise in other Kingdomes, where they can pretend no lawful power nor authority. A purpose long since projected, and hitherto cunningly carried, but now openly manifested, and in divers parts begun to be executed with hard and cruel effects. And considering withall how it hath pleased God to blesse this Realm with the sincerity of the Gospel (the defence whereof is the most just and lawful cause that Christians can maintain) we have thought it requisite not only to unite our selves and joyn the whole forces which God hath granted us, under our most religious and Christian Sovereign, for the better assurance of our own estates, and the more peaceable enjoying of so great a benefit; but also for withstanding the dangerous course intended against all the professors of the truth, we have judged it needful, that a general League and Christian confederacy of Princes and States, professing the true Religion, should be opposed to the ungodly confederacy of the enemies thereof; especially that the two Crowns of Scotland and England, which nature, blood, habitation, and the profession of one Religion hath joyned, may be unseparably united by a

An. 1585.

Troubles betwixt the *Maxwells* and *Johnstons*.

*Johnston* taken prisoner, and shortly after dieth.

Sir *Francis Russel*, sonne to the Earl of *Bedford*, killed at a meeting in the Borders.

*Arran* and *Farnherst* confined.

*Farnherst* dieth at *Aberdene*.

Sir *Edward Wotton* Ambassador to *Scotland* about the beginning of June, 1589.

A convention of the Estates at *S. Andrews*.

A league continued with the Queen of *England*.



An. 1585.

more firm and strict League then hath been betwixt any Princes their Progenitors in times past for which effect, we under subscribing for our selves, and in name and behalf of the whole Estates of this Realm, whose body in this convention we represent, have given and granted, like as we by the tenour hereof do give and grant to our Sovereign Lord King James the sixth, his Council or such of them as his Majesty shall please to nominate, our full power, priviledge, assent and authority whatsoever, competent to us and to the three Estates of this Realm, to treat or cause to treat, conferre, transact, and conclude a Christian league betwixt his Majesty and his Highness dearest sister and Cousen, the Queen of England, and to nominate and appoint Commissioners for that purpose, who shall meet at such time and place, as his Highness shall agree upon with the Commissioners to be directed from his said dearest sister, the nomination and election of whom we have remitted, and do humbly remit to our dread Sovereign Lord, faithfully promising for us, and in behalf foresaid to ratify, approve and confirm in the first Parliament, whatsoever thing his Majesty shall agree unto, or his Highness Commissioners in his name shall contract, indent, subscribe, or seal concerning the said league; with all heads, clauses, and Articles thereof, which we do and have the more willingly done, because of the trust we repose in his Majesties wisdom, circumspection, earnest zeal to maintain the truth of God against all that shall happen to attempt anything to the contrary: providing alwayes that the league do not infringe, or prejudice in any sort any former alliances and leagues betwixt this Realm, and any other ancient friends and confederates thereof, except only in matter of Religion, concerning which we do fully consent, that the said league be made offensive and defensive, avowing, and by our solemn oaths swearing, neither to spare life, lands, houses, goods, nor whatsoever it hath pleased God to grant unto us, in defence and maintenance thereof.

This Act was past on the last of July with a great consent, and was subscribed by the Archbishops of *S. Andrews*, and *Glasgow*, the Bishop of *Dunkeld*, the Commendators of *Culrofs*, *Balmerinoch*, *Driburgh*, *Kinlofs*, *Lindors*, *Blanire*, and *Pettin weyme*, representing the spiritual estate by the Earls of *Arran*, *March*, *Athol*, *Montrosse*, *Marshall*, and *Roths*; the Lords *Oliphant*, *Thirlstane*, *Gray*, *Sinclare*, *Down*, and *Fleming* for the Nobility, and by the Commissioners of Burghs, and all the Officers of Estate, amongst the rest by the Master of *Gray*, who though he did professe himself a *Romane* Catholick, would in nothing that the King affected, be thought refractory.

It was thought that the Ambassadour did rest well satisfied with the Kings forwardnesse towards the league, and that he should have presently returned; But he had some other businesse in trust, which was carried more closely. This was to make friends to the exiled Lords, and labour their restitution, as had been concluded in *England*. To this effect he kept divers private meetings with the Master of *Gray*, the Secretary and Justice Clerk; giving the Lords intelligence from time to time of his proceedings; among other means he thought expedient that they should reconcile their private quarrels with the Lord *Hamilton*, and his brother *Claud*, who were likewise exiled, and lived then in *England*; he wrought so as they were brought, as it seemed, to a perfect accord, promising to take one course, and joyn all in the same cause. But *Claud* fearing either the event of the enterprise, or not having buried his former grudges, did afterwards separate, and by discovering their purpose, procured to himself liberty to return; yet did he not find that acceptance which he expected, being shortly after his coming confined in *Aberdene*, and within a little while commanded to leave the countrey, and goe into *France*.

Lord *Claud* after his agreement with the banished Lords taketh a course by himself.

Ambassadors from *Denmark*, July 12.

There came this Summer from *Denmark* certain Ambassadors to redeem, as they pretended, the Isles of *Orkney* and *Shetland*, alienated of old from that Crown, yet the true errand was to propone that marriage unto the King, which was some four years after happily perfected. The King receiving them kindly, and excusing himself for the matter of *Orkney* because of the Pestilence which raged as then in *Edinburgh* (where the Registers of the Kingdom were kept) promised how soon commodity served, to give all reasonable satisfaction, and to send some in Commission to treat of those matters.

How soon they were dimitted, the King went into *Striveling*, and from thence to *Hamilton*, to recreate himself as he was accustomed, where he received advertise-

The King advertised of the enterprise of the banished Lords.

ment



ment that the banished Lords were come down to the borders, and that *Maxwel* was to joyn his forces with them. Hereupon he returneth to *Striveling*, and sending for *Arran*, made Proclamations to go through the countrey, commanding all the subjects to meet him at the Castle of *Crawford* the 22. of *October*, for resisting the attempts of the Rebels. But things were so prepared at Court by the *English* Ambassadour, as the Lords did prevent the King in his expedition. They had appointed their rendezvous at *Linton* in *Tweddale*, and meeting there, did solemnly swear, not to separate nor give over the prosecution of their enterprize, till the King should be moved to accept them in favour, and put *Arran* forth of his company. *Maxwel* brought with him 300 souldiers that had served against *Johnston*, and about 700 horsemen, all the others did scarce equall that number, though *Bothwel*, *Home*, *Tester*, *Cesford*, and *Drumlanrig* had joyned with them. To justify their proceedings, they gave forth a Proclamation in all the places they came unto, declaring the causes of their enterprize to be, *the defence of the truth, the deliverance of the King from corrupt Counsellors, and the preserving of amity with England*. In this Proclamation nothing was left unsaid, that might make *Arran* odious, and hateful; amongst other things he was charged to have bragged of his descent from *Duck Mordoch* (who was beheaded in the time of King *James* the first) and to lay claim to the Crown by that title, calling himself *King James the seventh*. It is true, that in the Parliament held the year preceding, he took protestation in open Court, that he renounced any title, that he might pretend to the Crown that way, which I suppose he did to purge himself of that aspersiō; but the protestation was laughed at, in the time, by the wiser sort, and gave them to think that such a folly had once possessed his mind.

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A Proclamation to meet the King at the Castle of *Crawford*.

A Proclamation given out by the banished Lords.

The Ambassadour went, not saluting the King.

A Post is sent after him, and his excuse.

The Proclamation did often mention him and Col. *Stewart* as abusers of the King. Of the rest of the Counsellours there was no speech, which increased *Arrans* jealousy of them. Now how soon the Ambassadour heard that the Lords were entred in the countrey, fearing that some notice should be taken of his dealing, he left *Striveling*, and went in haste to *Berwick*, without saluting any man. They sent a Post after him with a letter, desiring to know the cause of his suddain departure, and whether he was directed by the Queen his Sovereign to go away in such sort. Being overtaken at *Anwick*, he answered, that he had no such direction from the Queen, when he was first employed, but that of late he had received a command to retire, because she saw no hope of the delivery of that wretched *Farnherst*. This he made the pretext of his departure, yet in reason he could not alledge it. *Farnherst* lying bedfast at the time in *Aberdene*, where he was committed, which was notified to him, and he knew to be a truth; In the conclusion of his letter, he said, *that he could not grant that he had departed in salutato hospite, seeing he performed that office, both with his heart and hand, and that he should by all possible means endeavour that his departure should rather help to maintain, then dissolve the amity betwixt his Sovereign and him*. That which he speaketh of his hand, was a letter that he left to be given to the King, the day after he was gone, in which he laid the cause upon *Arrans* credit, without whom he saw nothing could be obtained. *Arran* seeing the letter that he left to be given to the King, began to think that all was not sound, and accused the Master of *Gray*, as being privy to the Ambassadors departure, which he denied; yet all that time nothing was done that was fitting either for the Kings safety or reputation, and not so much as the Castle furnished with victuals, which might have easily been provided.

Neither were the Lords ignorant of this, which made them use the greater speed, marching directly to *Falkirk*, and the next day, which was the last of *October*, to *Striveling*. At the Church called *Sanct Nineans* (a half mile or lesse from the Town) they put themselves in order of battel, and stood so till night fell; at which time, upon warning given them by their friends within the Town, they advanced, and knowing all the passages, entred by a certain back way without any resistance.

The Lords make haste to *Striveling*.

*Arran* had taken upon him to watch that night, and was keeping the Town gate, when a cry was raised that the Town was taken. The Earl of *Crawford* who watched with him, fled to the Castle, but he escaped by the bridge, of which he

The town of *Striveling* taken.



An. 1585.

kept the keyes. Some weak resistance was made by Colonel *Stewart*, at the head of the Market street, but he was soon put back with the slaughter of one or two of his company. The borderers according to their custome fell upon the stables, and made prey of all the Gentlemens horses, whereof they found good store. The spoile otherwise was not great, as of a town not very rich in merchandise.

Two of the  
Councel directed to the  
Lords.

The Lords  
Answer.

In the morning betimes the Castle was inclosed, which they knew could not long hold out, for it was unfurnished, and scarce provided with victuals of one day: in this extremity the King was advised to employ two of his Councel towards the Lords, to ask what they intended. Choice was made of the Secretary and Justice Clerk, as men whom they would willingly hear. At the first meeting, the Secretary was rough enough with them, saying, *That such violent formes were not to be approved, and to deal in that manner with their King, they would finde it unsafe; for what was extorted from him by force or fear, he would soon finde means to undo, and never want men to serve him in that whereunto his will was bent; that humble Petitions became subjects, and had been more fitting then to come in the manner they did.* The Lords answered, "that it grieved them sore to be reduced to that necessity, nothing being more dear to them then the Kings honour and safety. But what could they have done? they were banished from their countrey, put from their livings, their friends used with cruelty, the King not permitted to hear them in their just defence, and alwayes shut up from presenting their Petitions. That their coming in that manner was not to dishonour, nor force the King, to whom they would be most humble supplicants, and upon their knees if they should find access, beg mercy at his hands. All they did was to save themselves from ruine, and to be secured from their adversaries, who had wronged them, and the whole States of the Kingdom: wherefore they besought them, as their countrey men and friends, to intercede with his Majesty that they might be accepted in favour, and all things composed in the most quiet and honourable manner for the King and State that could be devised.

The Kings  
care of those  
that attended  
him.

This reported to the King, did mitigate his mind a little; *For my self*, said he, *I did never like that mans violence (meaning Arran) and howbeit I cannot but offend with their doings; yet for the countreys sake, and preservation of publick quietnesse, I can pardon and overpasse all; but one thing I desire you that have been in conference with them, to look to; that none in my company receive any harm. I know there are quarrels betwixt the Earl of Crawford and the Master of Glamis; That the Earl of Angus doth not like Montrosse; and I believe that Colonel Stewart is not well beloved for things done in my service. These I cannot see with mine honour, hurt; provide for that, and that they may be in safety, and I shall willingly admit them.*

The King is  
pleased to admit the Lords  
in his presence.

When this was shewed the Lords, they said, "that they had not taken up Arms for any private quarrel, nor would they mixe their particulars with the publick; but it should be good for eschewing such inconveniences as might happen, that the Noblemen (whom the King had named) were put in custody with some special persons, and that the Colonel should be discharged from his office of the guard, and the same conferred to another. This being declared to the King, he gave his consent to receive them.

The Lord  
Hamilton in  
name of the  
rest, supplicates  
mercy.

The Kings  
Answer.

The Kings  
speech to Both-  
wel.

Being brought unto his presence, they fell all upon their knees, and the Lord *Hamilton* (who had the precedency in regard of blood) taking the speech, said, "that they were come in most humble manner to beg mercy, and his Majesties love and favour; The King answered, *My Lord, I did never see you before, and must confesse, that of all this company, you have been most wronged: you were a faithful servant to the Queen my mother in my minority, and when I understood not, as I do, the estate of things, hardly used. The rest of you, that have since that time been exiled, and put from your livings, cannot say but it was your own fault, and that your misbehaviour procured the same; But (turning himself to Bothwel) what should have moved thee Francis, said he, to take this course, and come in Armes against me? did I ever thee any wrong, or what cause hadst thou to offend? I wish thee a more quiet spirit, and that thou mayest learn to live as a Subject, otherwise thou wilt fall in trouble. To you all, who, as I truly think, have not meant any harm to any person, I am pleased to give both my hand, and*

my



my heart, and will remember nothing that is past, providing you carry your selves from henceforth as becomes men of your places, and behave your selves as dutiful subjects. So they arose one by one, and kissed his Majesties hands. It was observed that he received the Lord *Hamilton* with greatest kindnesse, and gave him more respect then any others. This was the day after their entering into *Striveling*.

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Two days after in Councel, the King renewing his promise, did by publick Act confirm the pardon granted to them, and their Assisters, which was by sound of trumpet proclaimed. The Earls of *Crawford* and *Montrose* were commended to the Lord *Hamilton*, who used them honourably, and Colonel *Stewart* suffered quietly to depart. *Arran* after his flight went unto *Coile*, and lived private amongst his friends, deprived of all his honours. The charge of the guard was given to the Master of *Glamis*, the Castle of *Dumbritton* put in the Lord *Hamiltons* custody, *Striveling* restored to the Earl of *Marre*, and the Castle of *Edinburgh* delivered to Sir *James Home* of *Coldinknows*. In this manner did the banished Lords recover his Majesties favour, and return to their places; albeit *Thuan* deceived by some information, hath otherwise related the same.

The King his pardon proclaimed.

The Master of *Glamis* made Captain of the Guard.

*Thuan*. hist. l. 43.

How soon the Noblemens peace was proclaimed, *Duntraith* who had touched them in his deposition against *Mainus* (saying that he was told by one *Fohn Home*, the Lords had hired every one of them two men to kill the King) so compeired before the Councel undesired (so the Act of Councel beareth) and confessed that he was suborned by Captain *James* (who is henceforth to be so named, the title of *Arran* being returned to the right owner) to make that deposition, which in it self was false and untrue, out of fear and to save his life. For verifying whereof, and to shew that he did not confesse this to please the Noblemen, whom he had wronged by such a confession, he declared that for the space of eight weeks before their return, he had revealed the same to the Master of *Gray*, and to the Provost of *Linclou-den*, both which upon oath testified no lesse to the King. The Councel for clearing the Noblemen, ordained his confession to be published, which was not very needful, (for no man did beleive the delation) only it served to discover the falsehood of the suborner.

*Duntraith* confesseth the deposition he made against the Lords to be false.

In *December* following a Parliament was held at *Linlithgow* for ratifying the peace, and abolishing the memory of things past. In this meeting the Ministers who returned in company of the Lords, did earnestly urge the repealing of the Acts concluded the year preceding, against their discipline: which the King did utterly refuse, ordaining, that none should either publicly declare, or privately speak or write in reproach of his Majesties person, estate, or government, as is to be seen in the first Act of the Parliament. The Ministers offending greatly therewith, especially with the Lords, who had promised to see these Statutes repealed, stirred up one Mr. *William Watson* in his preaching before the King, to complain of the neglect that was made of the Church, and condemn the acts above mentioned.

A Parliament at *Linlithgow*.

The Ministers offend with the reconciled Lords.

This young man the Bishop of *S. Andrews* had placed in *Edinburgh*, after the departing of the Ministers of *England*, and he to this time had carried himself very orderly: but now either fearing that his admission by the Bishop should be questioned, or to insinuate himself this way in the favours of the Ministers, who he thought would rule all matters of Church as they pleased, he took the boldnesse to reprove the King to his face. This his unseasonable and insolent doing was by all wise men condemned, and he therefore committed to the Castle of *Blacknesse*. Notwithstanding another of the same humour, called *James Gibson* Minister at that time at *Pencaitland*, usurping the Pulpit at *Edinburgh*, where the sicknesse was somewhat relented, fell out in the like impertinent railing, saying, That Captain *James*, with his Lady *Jesabel*, and *William Stewart* (meaning the Colonel) were taken to be the persecutors of the Church; but that now it was seen to be the King himself, against whom he denounced the curse that fell on *Jeroboam*, That he should die childless, and be the last of his race. This man called before the Councel, confessed the speeches, and proudly maintained the same, for which he was likewise committed. *Watson* upon promise to amend and behave himself more dutifully, was suffered to return to his charge, but the businesse with the other lasted to a longer time, as we will afterwards hear.

Mr. *William Watson* Minister committed.

*James Gibson* committed for the like insolence.



An. 1585.

The Superintendant of Lothian his death, with a short description of his life.

A few days before this Parliament deceased Mr. *John Spottiswood* Superintendant of *Lothian*, a sonne of the house of *Spottiswood* in the *Mers*, within the Barony of *Gordon*, of which Surname it seems his first progenitors were by the armes they have common with the *Gordons*: his Father was killed at *Floudon* in the unfortunate battel wherein King *James* the fourth died, and he left an Orphane of four years old. When he was come to some years, his friends put him to Schoole in *Glasgow*, where he took the degree of a Master of Arts, and having a purpose to study Divinity, which he most affected, was wholly diverted from following the same, by the persecutions he saw used against those they called *hereticks*. So leaving the countrey he went into *England*, and there falling in familiarity with Archbishop *Cranmer*, was by his means brought to the knowledge of the truth. Soon after the death of King *James* the fifth, he returned to *Scotland*, and stayed a long time with *Alexander* Earl of *Glencarne*, who was known to be affected that way. In his company he came to be acquainted with *Matthew* Earl of *Lennox*, and was by him imployed towards *Henry* the eighth, at the time that *France* did cast him off by the Cardinals dealing, as we touched before. Matters succeeding to the Earl of *Lennox* his mind, and he settled in *England*, he remained with him some moneths, after which, longing to visit his friends, he returned; and being known to Sir *James Sandylands* of *Calder*, a man of great authority in those times, he was by him allowed to accept the Parsonage of *Calder*, which fell then void. And living sometimes with him, sometimes with the Prior of *S. Andrews*, in whose company he went to *France* at the time of the Queens marriage; he made no great stay in any one place, till the work of reformation began; at which time he took himself to reside in *Calder*, and was how soon those troubles ended, chosen Superintendent of the Churches of *Lothian*, *Mers*, and *Tiviotdale*, which by the space of 20. years he governed most wisely, his care in teaching, planting of Churches, reducing people, and persons of all sorts into the right way, was great, and so successful, as within the bounds of his charge none was found refractory from the Religion professed. In his last days when he saw the Ministers take such liberty as they did, and heard of the disorders raised in the Church through that confused parity, which men laboured to introduce; as likewise the irritations the King received, by a sort of foolish Preachers; he lamented extremely the case of the Church to those that came to visit him, (who were not a few, and of the better sort) he continually foretold, *That the Ministers by their follies would bring Religion in bazard, and as he feared, provoke the King to forsake the truth: Therefore wished some to be placed in authority over them to keep them in awe; for, the doctrine, said he, we profess is good, but the old policy was undoubtedly the better; God is my witness, I lie not.* And that these were his ordinary speeches some two years before his death, many then alive could witnesse. He was a man well esteemed for his piety and wisdom, loving, and beloved of all persons; charitable to the poor, and careful above all things to give no man offence. His happy life was crowned with a blessed death, which happened the 5. of *December*, 1585. in the 76. year of his age.

An Assembly of the Church at *Edinburgh*.

But to turn to the history; the King having settled with the Noblemen, was very desirous to be at rest with the Church, and for that effect called some of the principal Ministers to a conference, wherein certain Articles were agreed for the better ordering of the Ecclesiastical affairs; the full determination thereof being remitted to the general Assembly of the Church, which was appointed to meet at *Edinburgh* the tenth of *May* following. In the mean time, *Maxwel* puffed up with the victory at *Striveling*, the praise whereof he ascribed wholly to himself, grew so insolent, as that the next *Christmas* taking with him a company of lewd and dissolute persons, he went in procession from *Dumfreis* to the Colledge Church of *Lincluden*, and caused a Masse to be said: complaint being made to the King, he was brought before the Councel, and committed to the Castle of *Edinburgh*, where he remained some moneths. This gave occasion to the Proclamations which followed against Priests, Jesuits, and trafficking Papists, who were all commanded to leave the countrey before a certain day, under pain of death.

The Lord *Maxwel* goeth to Masse, and is committed.

Whilest



Whilest these things were a doing, Mr. *Andrew Melvil* to be revenged of Saint *Andrews*, who had devised, as he imagined, the Acts made in the Parliament 1584. and penned the Declaration thereafter published, did in a Synod holden at S. *Andrews*, raise a new stirre, calling a number of Barons, Gentlemen, and Ministers together, as to a Synod; Mr. *James Melvil* his Cousen made the exhortation, in which, after a bitter Invektive against the devisers of the foresaid Acts, he admonished the Assembly to censure him that was known to have had a chief hand therein, meaning the Bishop. The exhortation ended, Mr. *Robert Wilkie* Professour of Philosophy in S. *Leonards*, was chosen Moderator; and their doctrine, as their manner was, being approved, it was proponed, that according to the admonition given them, they should proceed in censuring the Bishop. The opinions were divers, some holding it dangerous, and doubting what might be the consequence of it; others inquiring if he was cited to the Diet: a third sort more zealous then the rest, cried out that it was the cause of God, in which no man ought to forecast or fear any danger; and that a citation needed not where the iniquity was so manifest; or if that was thought necessary, that he might be warned to the next Session, being then in the City. This course was held most formal, and so was he ordained to be cited.

An. 1586.

A Synod at  
S. *Andrews*  
called against  
the Bishop,  
April 1586.

In the afternoon he compeired, and protesting that he did not acknowledge that *Judiciary*, desired to understand what they could charge him with, that he might justify himself. They misregarding the Protestation, did accuse him of devising the Statutes made in the year 1584. of penning the Declaration published thereafter by his Majesty, of traducing the brethren that fled into *England* in the time of his Ambassage, and a number the like. To this the Bishop repeating his protestation, answered, *That the Statutes were not of his devising, but when they were proponed, he gave his opinion that they were good and lawful Acts, and therein had served his conscience, the very second Act of that Parliament being an expresse confirmation of Popery, in so farre as by it the dignity and authority of the three Estates was ordained to stand unalterd according to the ancient custome of the Realm.* This, said they, is a ratifying of the Episcopal jurisdiction, according as it was in time of Popery. The Bishop replied, *That the Bishops were not by themselves an estate, but they represented in a part the estate of the Church, which was ever reputed the first estate of the Realm, since the Kingdome became Christian; and that in the Act alledged, no jurisdiction was established; howbeit for the Episcopal power, there was enough to be said, if the time and place were fitting. But if they had no further to say, he would leave them, putting them again in mind that they were not his Judges, and that these were matters too high for subjects to meddle in.* At last perceiving they would proceed with their censures, he appealed to his Majesty, the Council, and three Estates of the Realm, or any other lawful Assembly convened by his Majesty, and so departed.

The Bishop  
being cited  
compeireth,  
and protesteth  
against the Ju-  
dicatory.

His accusation.

He appealeth  
to the King,  
and Estates.

When he was gone, they entered into consultation what to do; many were of the judgment, that after appellation there could be no proceeding: others thought, that the appellation was not to be regarded. The matter being put to voices, it was concluded only by two voices more that he should presently be excommunicated. The Moderator by his place was to pronounce the sentence, but he refused, albeit he was no friend to the Bishop at that time; nor would any other of the Assembly take on them to do it. In end when all were dissolving, and a great part gone forth out of the Schools (for the Assembly was kept in S. *Leonards*) a yong fellow named Mr. *Andrew Hunter*, willed them to stay, professed that he was warned by the Spirit to pronounce the sentence, and so ascending the chair, he read the same out of the book, a few only remaining as witnesses.

The Bishop  
excommunicat-  
ed by the Sy-  
nod.

This scornful and disorderly proceeding, was the next day requited in a form nothing better. Two of the Bishops servants going to the Church at the time of prayer, caused one Mr. *Samuel Cunningham* Cousen to the Bishop, go unto the Readers seat, and pronounce the same sentence against Mr. *Andrew*, and Mr. *James Melvil*, and some others of the Ministers of *Fife*, who had been most eager and forward against the Bishop.

Mr. *Andrew*  
and Mr. *James*  
*Melvil* excom-  
municated by a  
servant and  
Cousen of the  
Bishop.

The Appellation was sent by the Bishop to the King, wherein first he excepted  
against



An. 1586.

The Appella-  
tion with the  
reasons sent to  
the King.

against the *Synod* as being *unlawfully convened*; Next, against their *unjust proceedings*. The first he proved, saying, "That convention was expresse against the Statutes of Parliament, and neither convoked by his Majesties letters, nor by the Bishop of the Dioces: moderated by a Laick person, that had no imposition of hands, made up of a company of Barons, Gentlemen, Masters of Schools and Colledges, who bare no function in the Church, and ought not to have any suffrage in Ecclesiastick Assemblies, and no sufficient number of Ministers assisting; who though they had been present, by the Apostles rule were subject to the Bishops censure, and he not to theirs. The *injustice* of their *proceeding* he qualified; first, by their citation, which neither contained a lawful cause, nor did allow him a reasonable time for his appearing. 2. That at his compeiring, (which was under protestation that he did in no sort acknowledge that judicatory) they accused him for defending his Majesties authority in matters Ecclesiastick, and for his consent given to the Statutes made in Parliament 1584. which were the lawes of the King and three Estates, which they ought not to take on them to condemn. 3. That they transgressed the order set down in their own Assemblies, which appoints admonitions and prayers to be used for persons, before the sentence be pronounced. 4. That the conclusion they took to excommunicate, passed not with consent of those who were present, and was carried only by the voices of two ignorant Ministers. 5. That the Moderator of the pretended Synod, refusing to pronounce the sentence, one *Hunter* servant to Mr. *Andrew Melvil*, had taken on him to do the same, alledging he was moved thereto by the Spirit of God: which was a conceipt of the Anabaptists, and ought to be severely punished. And, 6. That Ministers in their Synods, were they never so lawfully convened, may not excommunicate any person without consent of the Church, whereof he is a member. Saint *Paul* (on whose example they grounded their excommunications) not presuming by himself to cast forth the incestuous man, but writing to the Church of *Corinth*, that when they were convened together, they should do the same. In end he intreated his Majesty whom it specially concerned, to take cognition of their unruly and tumultuous proceeding, and to consider how dangerous a thing it was to put the spiritual sword in the hands of such men, who might possibly attempt the like against his Majesties self, & others of the Council.

A transaction  
betwixt the  
Bishop and the  
Assembly.

When the King heard of this business, he was greatly commoved, yet because the Diet of the Assembly was approaching, he thought best to continue the matter to that time; where in stead of examining the process, or discussing the Bishops Appellation, a transaction was made in this sort. That the *Bishop* by his hand-writing or personal appearance in the Assembly, should deny "that ever he publicly professed or meant to claim any supremacy, or to be Judge over other Pastors, and Ministers, or yet avowed the same to have a ground in Gods word; and if so he had done, it had been an error against his conscience, and knowledge. That he should also deny, that in the last Synodal Assembly, he did claim to be Judge of the same, and if he had done it, that he erred therein, and in his emperious behaviour, and contempt of the said Synod. That thirdly, he should promise to behave himself better in time coming, and crave pardon for any oversight by him committed, claiming no further then justly he might, by Gods word: and in all other things carry himself as a moderate Pastor ought, labouring to be the Bishop described by S. *Paul*, submitting his life and doctrine to the judgment and censure of the general Assembly, without any reclamation, provocation, or appellation from the same in any time coming. That the *Assembly* on the other part, for his Majesties satisfaction, and to give testimony of their willing minds to obey his Highness, so far as they could, and in conscience they might, and for the good hope they had of his Majesties favourable concurrence in building up the house of God; should hold the said process and sentence as undeduced, and not pronounced, and restore the Bishop in so far as concerned the said process and sentence, to the estate wherein he was before the pronouncing of the same; especially because the said process was led and deduced during the time of the conference, whereupon his Majesty had conceived offence: with this proviso, Always that the

Bishop



“ Bishop should observe what he promised in the premises, and carry himself dutifully in his vocation, in all times thereafter.

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The reasons moving the King to give way to this trans. action.

What should have moved the King to hearken to a mediation so prejudicial, both to his own authority, and the Episcopal jurisdiction which he laboured to establish, cannot well be conjectured; except we will think, that by yeilding to the Churches advice in this particular, he hoped to winne them in end to those things which served for his peace, and their own quietness; or, which I rather believe, that he did only temporise not seeing another way how to come by his ends, and was content to keep them in any tolerable terms. till he should find himself of power sufficient to redresse these confusions. Whatsoever the reason was, the Bishop did set his hand to the conditions proposed by the Assembly, and received that declaratur for an absolution. Yet did not this satisfy the adverse party, who peremptorily urged the justifying of their process, with the confirmation of the sentence they had pronounced; which when they could not obtain, the same Hunter that pronounced the sentence, protested publickly against the Assemblies proceeding, and that notwithstanding the absolution granted, the Bishop should still be esteemed as one justly delivered to Satan, till his conversion were seen to be true and effectual: unto which protestation Mr. *Andrew Melvil* and Mr. *Thomas Buchanan* did adhere.

A motion was made in the same Assembly for censuring the Ministers that had allowed the Acts concluded in the Parliament 1584. by their subscriptions; but they were found to be so many, as it was feared, the urging thereof would breed a schisme and division in the Church; wherefore after some altercation the matter was left, and all the Ministers exhorted to judge charitably one of another, notwithstanding their diversity of opinions.

The Ministers exhorted to judge charitably one of another.

The Articles agreed upon in the conference with certain Ministers, whereof the determination was remitted to this Assembly, made more adoe; for they having condescended to accept Bishops and to give them a chief hand in the government of Church affairs, they always being subject to the censure of the general Assembly, It was strongly opposed, and after a long dispute concluded; *That in respect the Bishop was a Pastor, as other ordinary Pastors are, he should for matters of life and doctrine be tried by the Presbytery and Synod; and for his Commission otherwise in Church affairs be subject to the general Assembly.* The Secretary, Justice Clerk, with the Lord Privy Seal, and other Commissioners for the King, dissented and made protestation, *That seeing the Assembly had gone from the Articles agreed upon in the conference, nothing either then, or at the present concluded should stand in force.* And thus were they like to dissolve, but that Mr. *Robert Pont*, *James Martin*, and *Patrick Galloway*, being directed to inform his Majesty of the difference, things were drawn to this middest; *That the Bishops and others having Commission to visit Churches, should be only subject to the trial of the general Assembly, and such as had power from them, till further order was taken. And that where Bishops and Commissioners were resident, they should preside in the meetings of Presbyteries and Synods, Fife only excepted, where Mr. Robert Wilkie was appointed to moderate the Presbytery of Saint Andrews, untill the next Synod.* In the mean time was the order of the Presbyteries set down, and their power defined, the King taking no notice of their doings in that kind.

Acts concluded in the Assembly.

The Secretary who then supplied the place of Chancellor, perceiving the King so vexed with the affairs of the Church, and the Ministers so refractory and unwilling to be ruled, did advise him to leave them to their own courses, saying, “ That in a short time they would become so intolerable, as the people would chase them forth of the countrey. True, answered the King, *if I were purposed to undoe the Church and Religion, I should think your counsel not ill, but my mind is to maintain both, therefore can I not suffer them run into these disorders, that will make Religion to be despised.* This answer did shew the Kings love to the Church, and his care of the good estate thereof, which in this place I thought was not to be passed.

His Majesties answer to the advice given him by the Chancellor.

In the Estate matters went not much better at this time, and amongst others, nothing gave more offence then the acquitting of Mr. *Archibald Douglas*, by form of Assise. This man was known to be guilty of the murther of the King his Father, and



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and had fled into *England* six yeares before. The Earl of *Morton* at his death, and one *Binny* Mr. *Archibalds* own servant, who was executed about the same time, did both declare, that he was present at the doing of that wicked fact, for which the King had often by his letters and Ambassages intreated the Queen of *England* to have him delivered, yet could not obtain it. At this time a remission being purchased to him for the concealing of that murder, with a letter of rehabilitation, whereby he might stand in judgement and plead against his forfeiture; he was in a Jury held the 26. of *May*, declared innocent, and absolved of the crime.

This was done by the procurement of the Prior of *Blantire*, who had intruded himself in the Parsonage of *Glasgow*, whereof Mr. *Archibald* had been titular, and otherwise then by his restoring could have no right in law to retain it. Many were grieved to see Justice in that sort abused, for maintaining a sacrilegious possession; but to have sent him back to *England*, with a Commission to reside there as Ambassador for the King, which likewise was done, was an error inexcusable; and how he and the Master of *Gray*, who was chiefe man in that led Assise, carried themselves in the Queen of *Scotlands* businesse, wherewith they were trusted, we will hear in the end of this year.

In the *Isles* this Summer there arose great trouble betwixt *Mackoneil*, and *Macklain*, two principal men in those parts. *Macklain*, by his education in the continent, had learned civility and good manners, and living accordingly, was in great respect both with his own people, and all his neighbours about. *Mackoneil* out of an emulation made many quarrels to the other, and in end laid a plot to murder him (though he had married his sister) which he went about in this manner. He sent a message to *Macklain* offering to visit him at his house, and to stay some days, providing he would come back, and make merry with him in his countrey, that the world might see all injuries were forgotten, and that they loved one another as brethren, and good neighbours ought to do. *Macklain* answered, that he should be welcome, but for his going back with him, they should talk at meeting. *Mackoneil* receiving this answer, came the next day and was received very kindly by *Macklain*. Some four or five days he stayed, using the fairest shewes of amity that could be wished, and being to part homewards, intreated *Macklain* to go with him, saying, that he would leave his eldest son, and a brother-germane pledges for his safety: *Macklain* upon his importunity yielded to go, but refused the pledges, lest he should seem to distrust him, and so went, taking with him of the trustiest of his kindred and servants, some 45.

A trouble in  
the *Isles* be-  
twixt *Macko-*  
*neil* and *Mack-*  
*lain*.

They arrived in *Kyntire* early in the morning, and all that day were welcomed with liberal feasting, according to that peoples custome. At night when they were gone to rest, *Mackoneil* beset the house, wherein *Macklain* and his people lay, with a number of men, and called him to come forth and drink; he answered, that of drink they had too much, and that it was then time to rest. Yet it is my will, said *Mackoneil*, that ye arise and come forth. *Macklain* hearing this, began to suspect some bad dealing, and dressing himself and his men, did open the dore, where perceiving a company in Armes, and *Mackoneil* with his sword drawn; he asked what the matter was, and if he meant to break his faith. No faith, said he, I gave none, and must now have an account of you, and your friends for the wrong I have received. *Macklain* had taken that night his nephew a little child to bed with him, and being put to his defence, kept the childe upon his left shoulder in manner of a targe. The childe cried for mercy to his Uncle: wherewith *Mackoneil* moved, did promise to spare his life, providing he would render his weapons, and become his prisoner. *Macklain* seeing no better, was content, and thereupon was conveyed with some keepers to another house; All the rest (two excepted) upon the like promise rendred themselves. The two whom he refused to spare, defended the dore so desperately, as neither he nor his men durst enter: whereupon fire was put to the house, and they burnt within the same. The others that rendered, notwithstanding the promise given them, were all beheaded in *Macklains* sight, some of them the next morning, and the rest the days following. *Macklain* himself had gone the same way, but that it happened *Mackoneil* by a fall from his horse to  
break



break his leg, by which accident his execution was prolonged. In the mean time, upon notice given to the King of that barbarous fact, an Herald was sent with a charge to deliver *Macklain* to the Earl of *Argile*; but this availed not, but still he was detained and compelled to yeild vnto most unreasonable conditions, before he got his liberty; which was no sooner obtained, then *Macklain* to revenge himself, tell upon *Mackoneils* bounds, burning and killing man wife and childe, without mercy; and so took a cruel revenge of the others treachery.

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A little before this trouble in the *Isles*, *Hugh Montgomery* Earl of *Eglington*, a young Nobleman of good expectation, was likewise treacherously killed by certain *Cunninghams*, who envying the Nobleman's worth (otherwise they could pretend no just quarrel) did conspire his death. The chief Actors, *David Cunningham* of *Robert-land*, *Alexander Cunningham* of *Aiket*, and *John Cunningham* of *Corfell*, who were set on work by the Earl of *Glencarne*, upon promise that he should maintain them; which afterwards he disclaimed. This unhappy fact did cost much blood, and was afterwards honourably revenged by *Robert Master* of *Eglington*, the Nobleman's brother.

The Earl of Eglington treacherously murdered.

In the moneth of *June* was the league with *England* concluded, which the year preceding had been carefully laboured, and by Commissioners sent from both Princes in a meeting at *Berwick*, accorded in this form.

A league with England concluded.

1. That both their Majesties finding by the course of the present proceedings in forain parts, that divers Princes terming themselves Catholicks, and acknowledging the Popes authority, were joyned in confederacy for extirpating true Religion, not only within their own States and Dominions, but also in other Kingdomes; lest they should seem to be lesse solicitous for the defence thereof, then were their enemies who thought to overthrow the same; have thought it necessary as well for the preservation of their own persons, on whose safety doth the Well of their subjects, depend, as for the better maintenance of the true ancient Christian Religion which they now professe, to joyn and unite themselves in a more strict league then hath been between any Princes their Progenitors.

The Articles of the league:

2. That they should labour and procure by their best endeavours to draw the Princes professing the same Religion to joyn and concur with them in the like defence thereof.

3. That this league should be offensive and defensive against all that should attempt to disturb the exercise true Religion within their Kingdomes, notwithstanding of any former leagues of friendship or amity, contracted with the said attemptors.

4. That if any Prince or State whatsoever, should invade the Realms and Dominions of either of their Majesties, or attempt any injury against their persons or subjects; upon notice thereof given or received, neither of them should yeild aid, counsel, advice, or support, directly or indirectly, to the said inuader, notwithstanding any consanguinity, affinity, league or treaty, made or to be made.

That in case of invasion they should aid and assist each other in manner and form following. That is to say, if the Realm of *England* should be invaded by any forain forces in parts remote from the Realm of *Scotland*, the King upon signification made unto him by the Queen of *England* should furnish 2000 horsemen, and 5000 footmen, or a lesser number, as it shall please the said Queen to require, and should cause them be conducted from the borders of *Scotland* into any part of the Kingdom of *England*, upon the charges of the said Queen; And in case the said Realm of *Scotland* be invaded in any part remote from the borders of *England* by any forain force, the Queen of *England* upon requisition made to her by the King, should furnish 3000 horsemen, and 6000 footmen, or a lesser number at the option of the said King, and shall cause them to be conducted to any part of the Realm of *Scotland*, upon the Kings charges.

6. That in case the invasion should be upon the North parts of the Realm of *England*, within 60 miles of the borders of *Scotland*, the King being required by the Queen, should gather all the forces he could make, and joyn with the *English*

H h

power



*An. 1586.* power for pursuing the said invaders, and keep them together for the space of thirty days or so much longer (if it be required) as the subjects of *Scotland* are usually accustomed to stay in the fields for the defence of their own Kingdom.

7. That upon any invasion or trouble arising in the Realm of *Ireland*, the King upon notice given to him thereof, should not only inhibit the repair thither of any of the inhabitants of *Argile, Isles* and places adjacent, or any other parts of his dominions; but also if it shall happen them or any of them to go into *Ireland* with a number extraordinary, and in hostile manner, the King upon signification of the same, should denounce them his Rebels, and pursue them as Traitors.

8. That neither of their Majesties should hereafter aid, supply, assist or entertain the Rebels or adversaries of the other, nor permit them to reside either privately or publickly in any part of their dominions, but upon the first requisition of the Prince, to whom they are Rebels, they should undelayedly be delivered according to the old leagues and treaties, or then expelled forth of their dominions, and redresse made for any injuries they should happen to commit, during their abode in the same.

9. That all controversies about matters of borders or wrongs committed in the Marches since the time of the Kings accepting the government in his own person, and by the space of four years preceding; should be friendly determined and satisfied at the sight of Commissioners to be appointed on both sides, who should meet at the within six moneths after the date of the presents, and decide thereupon.

10. That neither of their Majesties should enter into any league or treaty (without the consent of the other, by letters signed with their hands under their privy signet) with any other Prince or State whatsoever, to the prejudice of the present Treaty.

11. That all former treaties betwixt their Majesties progenitors, and both Realms, notwithstanding any discontinuance thereof, should stand in full force, so farre as they should not be found derogatory to the present treaty, and that this treaty should not infringe any league made by either of their Majesties or their progenitors, with other their friends and confederates, in any time by-gone, the cause of Religion onely excepted, wherein the present league is declared to be offensive and defensive.

12. That both their Majesties should confirm the league by their oathes and great Seals, which should be interchanged and mutually delivered to others.

13. Lastly, that the King at his coming to the perfect age of 25. years, should cause the present league to be ratified by the States of the Kingdome: like as the Queen at the same time should cause it to be confirmed in her Parliament of *England*.

The names of the Commissioners of both Kingdomes.

These were the Articles of the league concluded at *Berwick*, and signed by *Francis Earl of Bothwell, Robert Lord Boyd, and Sir James Home of Coldirknowes*, Commissioners for the King; As likewise by *Edward Earl of Rutland, William Lord Evers, and Sir Thomas Randolph*, Commissioners for the Queen of *England*.

A new breach between the King and Queen of *England*.

It was believed, that this amity contracted with such deliberation should have continued firm; for (besides the publick league) the Queen had sent to the King a letter under her own hand, wherein she did faithfully promise to suffer nothing to be done, that might derogate or prejudge his right and title to the Crown of *England*. And for a further demonstration of her kindnesse, had presented him with a gift of annuity answerable to the lands possessed by the Lady *Lennox* in her time, which the King by divers Ambassadors had formerly required, as due to him. Yet a few moneths after, brake out a businesse that put them in worse terms then before, and was with no small difficulty pacified; the story whereof shall next be related.

The proceedings against the Queen of *Scots*.

The Queen of *Scots* being touched in the trial of *Babingtons* conspiracy, as having interchanged divers letters with him, a consultation was kept concerning her, and what was fittest to be done; for they considered that all the conspiracies made against



against the Queen of *England*, being chiefly intended in hope of the *Scottish* Queen her succession so long as she lived, their Sovereign should never be secured, and that therefore the surest course was to put her out of the way; But how this should be done, the opinions were different. The Earl of *Leicester* advising to dispatch her secretly by poyson, Secretary *Walsingham* did mightily oppose it, as that which would draw upon the Queen both danger and dishonour, and besides, in it self was a thing unjust, and no better then a cruel murther. Wherefore his opinion was, that the course of Law should be kept, and Commission given for making her process, and as the trial should prove, for giving sentence and judgement. This opinion prevailing, certain Noblemen Counsellours and Judges were chosen for the business, who meeting at the Castle of *Fotheringham* (where the Queen of *Scots* was kept) the eleventh of *October*, and calling her before them, did charge her with the said conspiracy, and entercourse of letters. She refusing to answer, and be tried as a subject, being her self an absolute Queen; they notwithstanding went on, and finding her guilty, pronounced the sentence of death, which was shortly thereafter confirmed by the Estates of Parliament, and a supplication therewith delivered to the Queen for putting their decree in execution.

An. I; 86.



Sentence of death pronounced against her.

How soon the King was advertised hereof, he sent *William Keith* Gentleman of his chamber to the Queen, with a letter to this effect. *That howbeit it seemed strange to him that the Nobility and Counsellors of England should take upon them to give sentence upon a Queen of Scotland, and one descended of the Royal blood of England; yet he would think it much more strange, if she should stain her hands with the blood of his mother, who was of the same Royal condition with her self, and of the same sexe: which as he could not believe, would enter into her heart to do; so if it should be, he desired her to consider how much it touched him in honour, that was both a King and a sonne, to suffer his mother an absolute Prince, to be put to an infamous death.*

*William Keith*  
sent into Eng-  
land about the  
middle of No-  
vember.

No answer being returned to this, upon new advertisement that the Queen was like to be drawn by the importunity of her Estates to give way to the execution, he wrote to *William Keith* more sharply, “ requiring him to shew the Queen how unjust he held that proceeding against his mother, and that it did neither agree with “ the will of God, who prohibiteth to touch his anointed ones, nor with the law “ of Nations; That an absolute Prince should be sentenced and judged by sub- “ jects: and if she would be the first to give that pernicious example of profaning “ her own and other Princes Diadems, to remember her, that both in respect of “ nature and honour it concerned him to be revenged of so great an indignity; “ which if he should not do, he should peril his credit both at home and abroad; “ and therefore willed him for to labour for a delay, untill he should send an Am- “ bassadour with overtures that might content and satisfy her Majesty. For by a let- “ ter sent from Mr. *Archibald Douglas* that stayed as Leiger in *England*, he found him not well disposed in the business, and thereupon resolved to employ a more honourable person, and one of greater trust.

A letter to  
*William Keith*  
from the King.

*William Keith* having intreated the Queen for a delay, when as he could not obtain the same, did shew her the direction he had received from the King: at which she grew into such a passion, that if *Leicester* and others of the Council who stood by, had not pacified her (saying that the King did only request that his mother might be well used, which was a thing natural, and in him an honourable part; and that some ill affected persons possibly had stirred him up to write so sharply) she had simply refused him any more hearing. But after she had calmed a little she said, *That she would give no answer in anger, and would think of it to the next morning.* At which time calling him again, she said, *That no precipitation should be used, and if any did come from the King within a few days, she would stay all proceeding to that time, and be glad to hear such overtures, as might save the Queen of Scots life, and assure her own.*

The Queen in  
passion at the  
sight of the  
letter.

The King advertised of this, and conceiving some hope that matters would draw to an agreement, wrote of new to the Queen, and shewed “ he was sorry to “ understand that his letter sent to *William Keith*, had been construed as if he did “ threaten her and her Estates, whereas his purpose was only to inform her of the

The King ex-  
cuseth the  
sharpness of  
his letter.



*An. 1586.* "rumours going in the countrey, and how much his subjects were moved at these forms of proceeding with their Queen. That for himself, he knew well enough how hardly she was pressed by objecting unto her the perill of her own life; and that he never blamed her directly for any thing that was done. Therefore prayed her to accompt him her most honest and stedfast friend, since he never had nor should deserve any other at her hand, and that for his sake she would continue any proceeding against his mother, till his overtures should be heard, which the Master of Gray should bring with him, who was to take journey on the Saturday following.

The Master of Gray and Sir Robert Melvil sent into England.

This letter was speedily carried to the Queen, which gave her some content, for thereby she perceived the rumours to be vain which were dispersed, that he was minded to break the league, and denounce warre. The King in the mean time having convocated the Estates, and imparted to them the case wherein his mother stood, had very liberal promises given him, and a present supply of money granted for dispatch of his Ambassadour. And being advised by the Estates to joyn Sir Robert Melvil in Commulsion with the Master of Gray, as one that had served his mother long, and was truly affected unto her, the Commission was given to them both, and they put in equal trust. So parting from *Halirudhouse* the 20<sup>th</sup> of December, they came to London the penult of the moneth.

The first audience.

The next day Master Archibald Douglas being sent to desire audience, the same was refused upon information that they had been with Monsieur Bellieur the French Ambassadour, who was imployed in the same errand, and had parted from the Queen in wrath; yet the contrary being shewed, and that they refused to make any visit till they had presence of her Majesty, they had access granted the first of January. At her first meeting she quarrelled the letter sent to William Keith, asking if they were sent with the like threats. They answering that his Majesties letter might receive a good construction, and that he had interpreted himself by another, directed since that time to her Majesties self, she brake forth into these speeches, *I am unmeasurably sorry that there can be no means found to save the life of your Kings mother, and assure mine own, I have laboured to conserve the life of us both, but now I see it cannot be done.* The Ambassadour replied, that the case was nothing so desperate, and that means would be found to put her Majesty in assurance; yet because they perceived her to be somewhat commoved, they did not think meet to enter at that time more deeply in the businesse.

The second audience and effect thereof.

At their second audience which was on the tenth day, the Queen begun with them, in this sort. *A thing long looked for, should be good when it cometh; I would now hear what are your Kings offers.* The Master (as having the first place) answered, no man makes offer, but for some cause. If it like your Majesty, we desire to know if the person be extant for whom we offer, (for the rumour went constantly that the execution was past.) As yet, said the Queen, I think she be, but will not promise an hour. Nay said the Master, we come not to shift, but to offer from our Sovereign whatsoever in reason can be required; specially, that he shall interpose his credit in behalf of his mother, and give the chief of his Nobility for pledges, that no plot nor practise should be contrived against your Majesty with her knowledge or privacy: or if that be not sufficient, and that it shall please your Majesty to set her at liberty, and send her into Scotland, a course shall be taken for securing your Majesty from all such attempts by her occasion.

The Queen calling the Earl of Leicester, with the Lords Admiral and Chamberlain, who were nigh by, repeated in their hearing these offers, setting them all at nought: whereupon the Master took occasion to ask, *what should move any man to attempt against her Majesty for the Queen of Scots?* Because said the Queen, they think she shall succeed to me, and that she is a Papist. And if these means shall be taken away, said the Master, apparently the danger will cease. This, sayes the Queen, I would be glad to understand. If her right succession to England shall be made over in our Sovereigns person (said he) Papists will have no more hope, and this I think the Queen his mother will dimit and resign to him. But she hath no right, said the Queen, for she is declared incapable of succession. And if she have no right, said the Master,

the



*the hope of Papists ceaseth, and it is not to be feared that they will enterprize for her. But the Papists, said the Queen, do not allow our Declaration. Then let it fall, said he, in the Kings person by her resignation.* An. 1586.

The Earl of Leicester objecting that she was a prisoner, and could not dimit, the Master answered, *That the dimission being made to her son, with the advice of all the friends in Europe, in case (as God forbid) the Queen by any attempt should be cut off, she would have none to partake with her against her son, all the Princes her friends standing obliged for her resignation, that it should be valid and effectual to her son.* The Queen making as though she did not understand him, the Earl of Leicester said, that the Ambassadors meaning was, that the King should be in his Mothers place, *Is it so?* sayes the Queen, *then I put my self in worse case before; By Gods passion (this was her oath) that were to cut mine own throat: he shall never come in that place, and be party to me.* The Master answered, *that he would be more party, if he should come in his Mothers place through her death.* well, said the Queen, *tell your King what I have done for him to keep the Crown on his head since he was born, and that for my part, I mind to keep the league that stands betwixt us; which if he break, it shall be a double fault.* And with these words she made away; Sir Robert Melvil following her, requested for some eight days continuance of the execution, whereunto she answered, *Not an hour.*

The King advertised of this conference; and that nothing but extremity was to be expected, wrote with his own hand to the Master of Gray, as followeth. *Reserve your self no longer in your dealing for my mother, for you have done it too long, and think not that any thing will do good if her life be lost, for then adieu with further dealing with that State. Therefore if you look for the continuance of my favour, spare no pains nor plainnesse in this case, but read my letter written to William Keith, and conform your self wholly to the contents thereof, and in this let me reap the fruits of your great credit there, either now or never. Farewell.*

A letter from the King to the Master of Gray.

But before this letter came unto the Master, he was drawn upon another course and made more cold in the businesse, and (as the same went) had taken upon him to pacify the King, though the execution proceeded. Mean while the Earl of Leicester wrote to the King a letter, wherein not obscurely shewing what was resolved, he advised him to deal more moderately in that matter of his mother, her cause not being worth the losing of such a friend as the Queen his Sovereign was. *For albeit no man, said he, can blame your Majesty to speak for the safety of your mothers life; yet under your favour, your Majesty being a Prince and a King, you ought to weigh without partiality the case of other Kings and Princes, as if it might be your own. Justice should in the bosome of all Princes have such place, that whatsoever affection may draw them, if the thing which any of them doth for the preservation of their own life and estate be warranted, it ought to be borne withall by others.* And proceeding in this manner, he said, *Let the case of the Queen my Sovereign be made your Majesties, and that any King or Prince being in your hands, claiming title to your Crown, would raise warre within your Realm against you, or conspire with traitors within your Court or countrey to kill you; in that case I would fain know what would be thought fit by any faithful or good subject of yours, that you should do to such a one?* Nay, give me leave I humbly beseech you, to ask even of your self, *what you would think fit in such a case: there is no other difference, but that this offence is done to the Queens Majesty by your mother.* And after that a little (for the letter is long) *If my plain speech may be without offence to your Majesty, I would wish you to think well of this case: remember how near it is to you, and how much nearer it may be to you; it is seen to all the world wherefore the life of our Mistris is sought, whose death may be as farre out of your way, as your mothers liberty hath heretofore been dangerous to your estate. And if it be true which I have heard, your Majesties self by her will, had as well been dispossessed of the possession of that you have, as defeated of any remainder you thought to have interest in. And therefore as Kings be, and ought to be jealous of their own estate, so I doubt not but your Majesty will deeply consider of this case of your mothers, wherein you may perform both the Office of a Son, and of a King. And as I have always advised you, so do I still, except for a just cause (which I am perswaded you shall never have) give not her Majesty any cause to conceive a breach of love and friendship on your*

The Master of Gray drawne upon another course.



An. 1586



Secretary *Walsingham* writes to the Lord *Thirlstan*.

part. *She is the person and Prince in the world, that may do you most good or most harm; let no perswasion or device make you think other wise: the world is full of practise, and the worst heads most busy, &c.*

At the same time Secretary *Walsingham* writing to the Lord *Thirlstan* the Kings Secretary, with whom he kept intelligence, declared "that it was wondred by all "wife and religious men in *England*, that the King should be so earnest in the caule "of his mother, seeing all the Papists in *Europe* that affected the change of Reli- "gion in both Realms, did build their hopes altogether upon her, and that she had "shewed her self so passionate in point of Religion, as she had transferred her pre- "tended right to both the Crowns unto the King of *Spain*, in case the King her son "should persist in his profession.

It is true that such informations were given out amongst the Papists to divert the King from constancy in his profession, but that any such translation was made by her it is not probable, and a thing not to be believed; her Declaration at the time of her death being far other, as we shall hear; Albeit a Popish Abbot describing the life of *Laurens* the Cardinal, who was at that time Protector of the *Scottish* Nation, affirmeth the foresaid translation to have been in his hands, and to have been delivered to him by Count *Olivarez* the *Spanish* Ambassadour at *Rome*. But that doth merit little credit: such forged titles would perhaps have served, if the enterprize of the 88. had succeeded, but they are now of little purpose.

The King commandeth the Ministers to remember his mother in their prayers.

The King perceiving by all these letters that the death of his mother was determined, called back his Ambassadors; and at home gave order to the Ministers to remember her in their publick prayers: which they denied to do, though the form prescribed was most Christian and lawful: which was, *that it might please God to illuminate her with the light of his truth, and save her from the apparent danger wherein she was cast.* Upon their denial charges were directed to command all Bishops, Ministers, and other office-bearers in the Church, to make mention of her distresse in their publick prayers, and commend her to God in the form appointed. But of all the number, Mr. *David Lindesay* at *Leth*, and the Kings own Ministers, gave obedience. At *Edinburgh*, where the disobedience was most publick, the King purposing

The third of February, appointed for solemn prayers in her behalf.

The Bishop of *S. Andrews* appointed to preach, Mr. *John Comper* usurpeth the place.

to have their fault amended, did appoint the third of *February* for solemn prayers to be made in her behalf, commanding the Bishop of *S. Andrews* to prepare himself for that day; which when the Ministers understood, they stirred up Mr. *John Comper* a young man not entered as yet in the function, to take the Pulpit before the time, and exclude the Bishop. The King coming at the hour appointed, and seeing him in the place, called to him from his seat, and said, Mr. *John*, that place was destinate for another, yet since you are there, if you will obey the charge that is given, and remember my mother in your prayers, you shall go on; he replying, *he would do as the spirit of God should direct him*, was commanded to leave the place: and making as though he would stay, the Captain of the Guard went to pull him out; whereupon he burst forth in these speeches, *This day shall be a witnesse against the King, in the great day of the Lord*: and then denouncing a woe to the inhabitants of *Edinburgh*, he went down, and the Bishop of *S. Andrews*, entering the Pulpit, did perform the duty required. The noise was great for a while amongst the people, but after they were quieted, and had heard the Bishop (as he was a most powerful Preacher) out of that text to *Timothy*, discourse of the duty of Christians in *praying for all men*, they grieved sore to see their teachers so farre overtaken, and condemned their obstinacy in that point. In the afternoon *Comper* was called before the Council, where Mr. *walter Balcanquel*, and Mr. *William wason* Ministers, accompanying him, for some idle speeches that escaped them, were both discharged from preaching in *Edinburgh*, during his Majesties pleasure, and *Comper* sent prisoner to *Blackness*.

The Ministers at *Edinburgh* discharged.

The Queen of *Scots* her request to the Queen of *England*.

The Queen of *Scots* some moneths before, having notice given her of the sentence pronounced against her, and being willed to prepare her self for death, was nothing thereby dejected, but thanked God for that her sorrowful life was now to end, intreated the Queen of *England* by her letters, for three things: "First, that "her body might be carried by her servants into *France*, to be buried besides her mother.



„mother. Next, that she should not to be put to death secretly, but in the presence  
 “of her servants and others, who might bear witness of her dying *in christ*,  
 “against the false rumours which her adversaries might disperse of her. Thirdly,  
 “that her servants might have leave to go whither they would, and enjoy the  
 “mean legacies she had bequeathed unto them in her Testament; which things  
 she requested, *in the name of Jesus Christ, by the soul and memory of Henry the 7<sup>th</sup>*  
*Progenitor to them both, and by the royal honour and title which she had carried.* In the  
 same letters she complained of the indignity done unto her, in the taking away of  
 her royal furniture, and that her keepers did use her without that respect which was  
 due to her estate and birth. But to none of these desires was any answer given, the  
 Queen of *England* dissembling that she had received any such letter.

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Yet was she much perplexed and doubtful what to do, whether to take her out of  
 the way or not. If she should be spared, she doubted the Noblemen who had gi-  
 ven sentence against her, would take it ill, and perhaps run other courses to free  
 themselves from her malice; and to take her away, she knew it would be interpre-  
 ted a great cruelty on her part, as likewise that the King her son would be sore  
 displeased: for albeit that the Master of *Gray* at his parting from her, had in private  
 given hopes that the Kings title being reserved, and no prejudice made thereto by  
 the sentence given against his mother, her death would be forgotten; yet Sir *Robert*  
*Melvil* who was joyned in Commission with him had assured her, if rigour were  
 used, that friendship would no longer be kept. Debating thus with her self some  
 days upon the most expedient, she signed a warrant for the execution, and gave it  
 to *Davison* one of her Secretaries to be passed the great Seal: which was no sooner  
 done, then repenting the direction, she told him that she would take another way.  
 But having before communicated the Warrant with the Council, they presently  
 sent *Beal* their Clerk with the Mandate and Letters to the Earls of *Shrewsbury*, *Kent*,  
*Derby*, and *Cumberland*, to see the same performed.

The Queen of  
*England*, is  
 doubtful which  
 way to take.

The Earls accompanied with the Sheriffe of the Shire and Justices of Peace, came  
 to *Fotheringham* on Tuesday the 7<sup>th</sup> of *February*, and having signified the cause of  
 their coming, willed the Queen to prepare her self to die, for that she was to suffer  
 the next morning. She was no way moved, as it seemed, and said, *I did not think that*  
*Queen Elizabeth my Sister, would have consented to my death, but since it is so, death is*  
*to me most welcome. That soul is not worthy of the heavens joyes, whose body cannot en-*  
*dure one blow of the hangman: only I will request,* said she, *that I may speak with my*  
*Confessor, and Melvil my Steward.* It was answered, that her Confessor would not be  
 permitted to come unto her. but she should have the Bishop, or Dean of *Peterborow*  
 who were nigh by to give her comfort. She replied, *They are of another profession,*  
*and cannot be fit comforters to me: but since you will not allow my Confessor to come at me,*  
*I will comfort my self in God.*

The Queen of  
*Scots* willed to  
 prepare her self  
 for death.

Some other speeches passed amongst them touching *Babington*, and her Secreta-  
 ries, *No*, and *Curle*, who had both confessed the interchange of letters with *Ba-*  
*bington*; after which the Earls departed; she calling for supper, commanded her  
 servants to make haste, that she might have leisure to set things in order. Having  
 supped sparingly (as her custome was) she made an Inventory of her goods and  
 moveables, setting down the names of those, for whom she appointed them, & unto  
 some she gave money with her own hand. This done, she wrote unto her Confes-  
 sor, intreating him to pray unto God for her; and a few lines to the *French King*,  
 and Duke of *Guise*, in behalf of her servants; at the ordinary hour she went to bed  
 and slept some hours quietly, after which having awaked, she spent the rest of the  
 night in prayer.

Her behaviour  
 and prepara-  
 tion.

The day beginning to break, she apparelled her self as she was wont to do on the  
 Festival days, and calling together her servants, shewed unto them her Will, desi-  
 ring them to take in good part the Legacies she had bequeathed unto them since her  
 means were at the time no better; and then gave her self wholly to devotion.  
 About eight of the clock, the Sheriffe of the Shire named *Thomas Andrews*  
 entered the Chappel, where she was praying on her knees, and told her that all was  
 ready: and, I am likewise, said she. Thus arising, she came forth to her Chamber



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She bidde h her  
servants fare-  
well.Her directions  
to Andrew  
Melvil her  
Steward.She is brought  
to the place of  
execution.The Dean of  
Peterburrow  
offereth to  
comfort her.She prayeth by  
her self.The manner of  
the execution.

of presence, where she made a short speech to her servants, willing them to fear God, and live vertuously: and so kissing her women, and giving the men-servants her hand to kisse, she bad them fare wel.

The Earls and other Gentlemen meeting her, she shewed a most chearful countenance, nothing dejected, but looking grave and devout, with a Crucifix of Ivory in her hands. As she was going towards the Hall, where she was to suffer, when Andrew Melvil her Steward did bewaile his mishap, in that he should be the carrier of the news of his Ladies death into Scotland, she said, *Do not lament, but rather be glad, for thou shalt straightway see Mary Stewart delivered from all her cares; you may tell them, that I die constant in my Religion, and firm in affection towards Scotland and France. Hitherto thou hast served me faithfully, and howbeit I take thee to be in Religion a Protestant, and I my self am Catholick, yet seeing there is but one Christ, I charge thee upon thine account to him, that thou carry these my last words to my sonne, and shew that I pray him to serve God, to defend the Catholick Church, and govern his Kingdom in peace, and never to put himself in the power of another, as I have done. Certify him that I have done nothing prejudicial to the Crown of Scotland, and will him to keep friendship with the Queen England, and serve thou him faithfully.* With these words some tears falling from her eyes, she bad him farewell.

After this, she was brought to the Hall, in the midst whereof, over against the Chimney (where was a great fire) a scaffold was erected of two foot high, and twelve foot broad, having two steps to ascend; the Scaffold was railed about almost a yard high, and all covered with black cloth, as were the Chair, Stools, and block, and Cushions to kneel upon. Before she went up, turning to the Earls, she requested that her servants might stand by at her death; They answered, that their passionate weeping would disquiet her and do no good else. Nay, said she, *I will promise for them, they shall not do so: it is but a small favour, and such as Queen Elizabeth would not deny me, to have my maids present.* She named Melvil her Steward, Burgoin her Physicim, her Apothecary, and Chirurgeon, with two maids.

Being on the Scaffold, and silence made, the Clerk of the Council did read the Commission, which she listened to, as it had been some other matter. That ended, the Dean of Peterburrow began to remember her of her present condition, and to comfort her in the best way he could; she interrupting his speech, willed him to hold his peace, for that she would not hear him. And when excusing himself, that what he did was by command of her Majesties Council, he began again to speak, *Peace Mr. Dean,* said she, *I have nothing to do with you, nor you with me.* The Noblemen desiring him not to trouble her further, she said, *That is best, for I am settled in the ancient Catholick Religion, wherein I was born and bred, and now will die in the same.* The Earl of Kent saying, that as yet they would not cease to pray unto God for her, that he would vouchsafe to open her eyes, and enlighten her mind with the knowledge of his truth, that she might die therein. She answered, *That you may do at your pleasure, but I will pray by my self.* So the Dean conceiving a prayer, and all the company following him, she likewise prayed aloud in the Latin Tongue; and when the Dean had finished, she in the English Language commended unto God the estate of the afflicted Church; prayed for her sonne, that he might prosper and live happily, and for Queen Elizabeth, that she might live long, and govern her subjects peaceably; adding, that she hoped only to be saved by the blood of Christ, at the feet of whose picture presented on the Crucifix, she would willingly shed her blood. Then lifting up the Crucifix and kissing it, she said, *As thy arms O Christ, were spread abroad on the Crosse, so with the outstretched Armes of thy mercy receive me, and forgive me my sins.*

This said she rose up, and was by two of her women disrobed of her upper garments, the executioners offering their help, and putting to their hands, she put them back, saying, *She was not accustomed to be served with such grooms, nor dressed before such a multitude.* Her upper robe taken off, she did quickly lose her doublet, which was laced on the back, and putting on her Armes a pair of silken sleeves, her body covered with a smock only, she kissed her maids again, and bad them farewell. They bursting forth in tears, she said, *I promised for you that you should be quiet, get you hence, and remember me.* After which, kneeling down most resolutely, and



and with the least token of fear that might be, having her eyes covered with a handkerchief, she repeated the Psalm, *In te, Domine, confido, ne confundar in aeternum.* Then stretching forth her body with great quietness, and laying her neck over the block, she cried aloud, *In manus tuas, Domine, commendo spiritum meum.* One of the executioners holding down her hands, the other at two blowes cut off her head, which falling out of her attire, seemed to be somewhat gray. All things about her were taken from the executioners, and they not suffered to carry their Aprons, or any thing else with them that her blood had touched, the clothes and block were also burnt, her body embalmed, and in solemn manner buried in the Cathedral Church at *Peterburrow*; and after many years taken up by the King her son, and interred at *Westminster* amongst the rest of the Kings.

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This was the end of Queen *Maries* life, a Princess of many rare virtues, but crossed with all the crosses of Fortune, which never any did bear with greater courage and magnanimity to the last. Upon her return from *France*, for the first two or three years, she carried her self most worthily; but then giving ear to some wicked persons, and transported with the passion of revenge, for the indignity done unto her in the murder of *David Rizio* her Secretary, she fell into a Labyrinth of troubles, which forced her to flee into *England*; where after 19. years captivity, she was put to death in the manner you have heard. Nigh unto her Sepulchre at *Peterburrow* was affixed at the time, by some friend that bewayled her death, this inscription.

A brief description of her fortune.

**M**ARIA Scotorum Regina, Regis filia, Regis Gallorum vidua, Regina Angliæ agnata, & hæres proxima, virtutibus Regiis, & animo Regio ornata, jure regio frustra sæpius implorato, barbara, & tyrannica crudelitate, ornamentum nostri seculi, & lumen verè regium extinguitur; eodèmq; nefario judicio, & MARIA Scotorum Regina, morte naturali, & omnes superstites Reges plebei facti morte mulctantur, hic extat. Cum sacris enim vivæ MARIÆ cineribus, omnium Regum atque Principum violatam atque prostratam Majestatem hic jacere scito: & quia tacitum regale satis superque Reges sui officii monet, plura non addo, viator.

The inscription secretly affixed on her Sepulchre.

That is,

“**M**ARY Queen of Scotland, daughter of a King, Widow of the King of France, kinswoman and next heir to the Queen of England, adorned with royal virtues, and a Princely spirit; having often, but in vain implored to have the right due to a Prince done unto her, the ornament of our age, and mirror of Princes, by a barbarous and tyrannical cruelty is cut off; And by one and the same infamous judgement, both MARY Queen of Scotland is punished with death, and all Kings living are made liable to the same: A strange and uncouth kind of grave this is, wherein the living are included with the dead; for with the Ashes of this blessed MARY, thou shalt know, that the Majesty of all Kings and Princes lies here depressed, and violated. But because the regal secret doth admonish all Kings of their duty, Travellour, I will say no more.


The same Englished.

The Authour was not known, nor could be found out, so it was taken away. But as soon as it was told the Queen, that the execution was done, she grieved exceedingly, and put on a mourning habit, laying all the fault upon Secretary *Davison*, to whom she had said, that she would take another way. Mean while she sent Mr. *Robert Cary* one of the Lord *Hunsdons* sons to the King, with this letter of her own hand-writing.

**M**y dear brother, I would you knew, though not felt, the extreme dolour that overwhelmeth my mind, for that miserable accident which farre contrary to my meaning hath befallne. I have sent this kinsman of mine, whom ere now it hath pleased you to favour, to instruct you truly of that, which is too irksome for my pen to tell you. I beseech you, that as God, and many more know, how innocent I am in this case, so you will believe me, that if I had done it, I would have abode by it; I am not so base minded, that the fear of any living creature, should make me afraid to do what is just, or done, to deny the same;

The Queen of England writeth to the King by Mr. Robert Cary.



An. 1586  same, I am not so degenerate, nor carry so vile a mind; but as not to disguise, fits most a King, so will I never dissemble my actions, but cause them shew as I mean them. This assure your self for me, that as I know it was deserved, if I had meant it, I would never over anothers shoulders, and to impute to my self that, which I did not so much as think of, I will not. The circumstances you will be pleased to hear of this bearer: And for my part, think you have not in the world a more loving kinswoman, and more dear friend, nor any that will watch more carefully to preserve you and your state. And if any would otherwise perswade you, think they bear more good will to others, then to you. Thus in haste, I leave to trouble you, beseeching God to send you a long Reign.

Your most assured loving Sister and Cousen,  
ELIZABETH: R.

The King denied him access.

The King denying him presence, and refusing to receive his Letters, he advertised the Queen, who willed him if he could not find access to his Majesty, to deliver his Message, and Letters to some of the Council, if it should be the Kings pleasure to take information from them. This after the delay of a few days was yielded unto, and with the Letters a writing delivered to be shewed his Majesty of this Tenour.

Mr. Caries Declaration in writing.

W<sup>H</sup>ereas the Queens Majesty my Mistris, desiring to have your Majesty certified aright of the death of the Queen your mother, and in what sort the same was done, hath commanded me, since I am denied your presence, to declare my message to certain of your Council; I have thought best to put it in writing, because words may be mistaken, and my charge this way better performed. First, she commanded me to assure your Majesty that it never entered in her thought to put the Queen your mother to death, notwithstanding the daily perswasions of her Council, the supplications of the Nobility, Knights, and Gentlemen, and the hourly outcries of her poor people and commonalty, wherewith she was wearied, and out of measure grieved to see their determination fixed that way. And that upon advertisements coming every day unto her, of the preparation of ships and men, both in France and Spain, to invade her Realm; and reports of the breaking open of Fotheringham Castle, and the Queen your mothers escape; lest she should in any such extremity be unprovided, she had signed a Warrant to her Council, for doing what they thought best with your mother; which warrant she delivered to her Secretary Mr. Davison to be kept, not intending it should be given out of his hands, except some invasion from abroad, or insurrection of Rebels at home, were made to procure her liberty. But her Secretary otherwise then she had purposed, having shewed the Warrant to two or three of the Council, they called the whole number together, and presently sent a mandate for her execution; which was done, she protests to God, before she knew of it. Hereupon the Secretary is committed, and will not escape her high displeasure. This is the effect of my message, which if I could expresse so lively, as I did hear her utter it with a heavy heart, and sorrowful countenance; I think your Majesty would rather pity the grief which she endureth, then in any sort blame her for the fact whereunto she never gave consent.

The Declaration giveth no content to the King.

This Declaration gave the King no content, for he could not think that her Council would have presumed without her own knowledge to take the life of his mother; and for the censure of the Secretary, he did esteem it but a mockery, and not a repairing of the wrong he had received. Neither wanted he persons about him to sharpen him to take revenge. Some out of a desire to have all things troubled; others out of the hatred they bare to Religion, and some truly resenting the injury as done to the whole nation. Which when the Queen understood, and that her messenger was returned without audience, she laboured by her Ministers, of whom she was ever well furnished, to pacifie his mind, and divert him from the Warre he had intended. These working privately with the Kings chief Counsellours, and such of his chamber as he was known to affect, dealt so, as they kept off things from breaking forth unto open hostility, which was every day expected. Secretary *Walsingham* first by a long letter, directed to the Lord *Thirlstane*, who

The Queen laboured to divert the King from Warre.

was



was then in most credit, and had the chief administration of affairs, proponed divers weighty and important considerations, that should keep the King from taking any such resolution. Because the letter contained the very true reasons, that in end moved his Majesty to forbear violence, and take a more calm course, I thought meet to set it down word by word, as it standeth in the Original.

An. 1586.

“ Sir, being absent from Court, when the late execution of the Queen your Sovereigns mother happened, I did forthwith upon my return impart to Mr. Douglas some things concerning the course was conceived here, by your said Sovereigns best friends, fit to be holden in this remediless accident for continuance of peace and amity between the two Crowns, as a thing for the weal of both Nations to be desired. But finding him unwilling to meddle therewith, I have thought good to write to the same effect unto your self. The rather for that I presently understand, by some advertisements out of that countrey, that the death of the Queen is likely to breed so strange an alienation of his Majesties mind towards this Realm, tending (as is reported) wholly to violence, and to revenge of that which hath been so necessarily done by the whole body of the same; whereof, as for mine own part, I should be right sorry, so it is generally hoped, that his Majesty being of that singular judgement himself, by the good help and advice of such as you are, in credit and authority about him, men of wisdom and experience, whom he will hear, this mischief will notwithstanding be carefully and prudently prevented, considering how every way, all things being rightly weighed, this course will be found prejudicial as well to your said Sovereigns estate, as to his reputation, if he resolve to persist therein.

A letter of Walsingham to the Lord Thirlstan.

“ For first, the enterprise will undoubtedly be condemned in the sight of all such as shall not be transported with some particular passion: for that they shall see, that he takes Armes for revenge of an Action, besides the necessity wherein it is grounded, full of so honourable and just proceedings, as howsoever the effect was contrary to their liking, the manner thereof by the late Queens great favourers, could not but be approved and allowed. And as on the one side, the King your Sovereign oppugning the course of Justice, of so unlawful, unjust, and desperate a quarrel, cannot be expected any other thing, then a most unhappy and miserable issue: so we being assured that in the defence of Justice the assistance of his mighty arm will not fail us, whose judgement this was, need not to fear whatsoever man shall attempt to the contrary against this Realm.

“ But not to stand upon the justnesse of the quarrel, which every man perhaps will not so much regard; It would be considered what means your Sovereign shall have to go through with such an enterprise, if he take it in hand. For the forces of his own Realm, being so farre inferiour to these in England, no man is so simple, but seeth it were no way safe for his Majesty, trusting only thereto, to make head against the power of this land; neither is it thought that any man will be found so unadvised, as to wish him so to do.

“ But as it may be, that a great number for lack of understanding are carried away with such vain discourses, as some without solid ground imagine of that might be done in this case, by a King of Scotland, backed and assisted (as they conceive in the aire) with the French, and Spanish aid; so it is likely enough, there shall not want those, that either satisfaction of their private passions, or supply of their necessities, or better affectionating some other their private designes; would be content to serve themselves of this present publick occasion and opportunity: who will propound, and promise also more to his Majesty of such forain assistance, then they know in their consciences can be performed, if he would declare himself enemy to this Realm; which that he should, (though to his own ruine) the enemies of both Realms will do what they can to procure.

“ But men of wisdom and understanding, laying before their eyes as well the accustomed delayes, and after long solicitation and pursuit, the simple supplies and support, commonly found at these forain Potentates hands; as also, how doubtful and uncertain the successe of warre may prove, England (God be thanked)

“ being



An. 1586.

“ being so prepared, and in case to defend it self, both otherwise, and by the conjunction of *Holland* and *Zelands* forces by Sea, in respect whereof this Realm need not fear, what all the Potentates of *Europe* being bended against us, can do for to annoy the same; Due consideration, I say, being taken hereof, you will easily judge and find, how vain it were for your Sovereign upon so uncertain hopes to embark himself and estate in an unnecessary warre. But much more if you shall consider, what a sequell and train of dangers and hazards this warre draweth therewith, the consequence whereof, reacheth to whatsoever your Sovereign possesseth, or hopeth for in this life. For escaping to be slain in field, if he should happen to be taken prisoner, or be constrained to retire himself out of the Realm, (things that have fallen out oft in experience) and then having incensed this whole Realm against him, he should be disabled from any right in the succession of this Crown, (as authority is given to do it by the same Statute, whereby they proceeded against the mother) for attempting the invasion of this land, what extremity should he be reduced unto?

“ And truly it could not otherwise be, the ancient enmity between the two Nations now forgotten, being by drawing blood one of another again, likely to be in such sort revived, as it would be impossible to make them like of a Prince of that Nation, and specially him who had been upon so unjust a ground the author of that unfortunate breach.

“ Besides, that the greatest part of the ancient Nobility, by whose judgement the late Queen was condemned, and the rest of the principal Gentlemen of the Realm, who confirmed the same in Parliament, should have just cause to adventure any thing even to the marching over their bellies, rather then to yeild to his government, who carrying such a vindictive minde, they might doubt would one day call their lives and honours in question.

“ And as for the remedy and relief which he might attend (standing in these terms) of forain Princes; there are many examples of the former ages, and within fresh memory. As the King of *Navarres* Grandfather by the mothers side, and *Christiern* King of *Denmark*, both were allied to *Francis* the first, and *Charles* the first, two of the mightiest Potentates that reigned in long time; And that this present *Don Antonio* may suffice for ensamples, to teach all Princes, if they can avoid it, to beware how they fall into that state whereby they shall be inforced to seek their own by other Potentates means. Princes are not so ready in these days, to embrace other mens quarrels, but where they are extraordinarily interessed in their own fortunes.

“ Wherefore I doubt not, but it will be seen by men of judgement, not transported with passion, or led away with private respects; that it should be every way the only best course for your Sovereign, by a good and kind usage of her Majesty, and by shewing that Princely moderation, as well in this grievous accident of his mothers death, as his whole proceeding with this Realm, (which the excellency of his Highness education seemeth to promise) to seek to win the hearty good wills of this Realm, as the chief and principal assurance he can in any sort obtain.

“ For to trust or depend either upon the *French* King, or the King of *Spain*, as if by their assistance he might attain to the present possession of this Crown, which be indeed the only two Potentates, whom he must have recourse unto, if he reject the Amity of *England*, whosoever shall so counsel your Sovereign, as things presently stand, shall in the judgement of men of best understanding, be wray great want either of fidelity or judgement, drawing his Majesty unto so untoward and desperate a course.

“ For it is no way safe for any Prince to repose his trust and strength upon their favour and assistance, to whose desires and designs his greatnesse may yeild any impeachment and hinderance; so were it clearly against common reason to expect other support and assistance from them, then might stand with their own commodities and pretensions, in respect whereof neither of the two foresaid Kings can simply and roundly joyn with your Sovereign to his good.

“ First, his Religion being odious to them both, and likely to prove most prejudicial



“ judicial to the Catholick cause, he growing so great, as he should be made by the  
 “ union of the two Crowns, the consideration whereof, caused his mothers affairs to  
 “ stick a long time, and made now in end leave him quite out of the reckoning, or-  
 “ daining the King of *Spain* her heir, if her son became not Catholick. An. 1588.

“ Next, it is meerly repugnant to the policy of *France*, were it but in respect  
 “ of the ancient claim *England* maketh to that Crown, to suffer the uniting of this  
 “ Island under one Prince.

“ They have been content in former times, when *England* had a footing in  
 “ *France*, to serve themselves of your Nation, therewith to annoy this Realm, by  
 “ the means of diverting or dividing the forces thereof; and so perhaps the Politicks  
 “ of *France* can be content to wish at this day, by your Sovereigns quarrel, or any  
 “ other such like, to be eased of the burthen, and miseries of the present Warre  
 “ wherewith they are plagued, by transporting the same into this Island. But as  
 “ this Realm hath good means to prevent that mischief if it were intended, so were  
 “ your Sovereign to look, when all were done, but to be made an instrument, as his  
 “ predecessors have been, of the effusion of much *Scottish* blood for *French* quarrels,  
 “ and the desolation of that Realm.

“ And as things stand presently in *France*, it is not thought that you should find  
 “ the King ready to hearken to any enterprise against this Land, the said King being  
 “ most desirous to live in peace, both with his neighbours abroad, and his subjects  
 “ at home, but that he hath been forced full sore against his will, by the practise of  
 “ them of the house of *Guise*, to countenance with his authority the Civil Warre  
 “ raised in that Realm; which maketh him, whatsoever shew he maketh of the con-  
 “ trary, to hate them in his heart.

“ Neither would it be held sound counsel to be given him by any that depends  
 “ upon his fortune, to further the advancement of a King of *Scots*, so nearly allied  
 “ to that family, which he hath discovered, and greatly feareth to level at his own  
 “ Crown, with any intention to depose him, which by the greatnesse of a King of  
 “ *Scots*, they should be so much the sooner and better able to effect.

“ The King of *Spains* assistance, being now in Warre with this Realm, were more  
 “ likely to be obtained, but farre more dangerous to be used in respect of his insa-  
 “ tiable ambition, deep practises and power accompanied in this case, with a colour  
 “ of right; wherein how farre he would seek to prevail, any opportunity or advan-  
 “ tage being offered, it may justly be doubted, by the experience that sundry States  
 “ have had, which upon slender grounds of title have been extorted and wrung  
 “ from the true inheritours, and annexed to his own Kingdom, as *Navarre*, *Portu-  
 gal*, and all he possesseth in *Italy* hath been.

“ It is believed that the King of *Spain* considering his years and unsettled estate  
 “ every way, would willingly incline to peace if it were offered with reasonable  
 “ conditions, and not over-readily at this present, embark himself in any new en-  
 “ terprise.

“ But otherwise it is well known, that as he had fancied to himself an Empire of all  
 “ this part of Europe, so he had an eye to this Realm ever since he was King in right  
 “ of his wife. The conquest was intended under colour of Religion, as was discove-  
 “ red by some that were of his own Privy Councel at that time; his pretention to be  
 “ the heir of the house of *Lancaster*, and since the late Queens death, the first Catholick  
 “ Prince of the blood Royal of *England*, as also the donation of this Crown made  
 “ him by the Queen of *Scots* in her letters with a promise to confirm it by Testa-  
 “ ment (things blazed abroad by the said Kings Ambassadour at *Paris*) ought to  
 “ breed jealousy and suspicion in your Sovereigns head, and give him to think how  
 “ he should be used at such an assistants hand. Auxiliary forces have ever been  
 “ reputed dangerous, if they either in number or policy were superiour to them  
 “ that called them in. The assistance therefore of *Spain* and *France*, being of this  
 “ nature, as your Sovereign hath need of neither, so he shall do well to forbear  
 “ them both, and so shall it be most for his ease.

“ It may be some will pretend, that by change of his Religion, your Sovereign  
 “ shall better his condition, in regard of these forain Princes, besides a great party



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“ within this Realm, that thereby shall be drawn wholly to depend upon his fortune. But the poor distressed estate of *Don Anthonio*, being a Catholick Prince spoiled by a Catholick, and receiving so little succour at Catholick Princes hands, shall be a sufficient barre to all that can be alleadged in that behalf.

“ As for the Catholick party in *England*, in his mothers life it was never so united, as they drew all in one line, much lesse will they be brought suddenly to lye upon him if he should alter his Religion (as God defend) which would be his utter discredit and overthrow both with the one and the other party, neither having cause to repose any confidence in him: The Protestants because he had renounced the Religion, wherein he was with great care brought up; the Papists because they could not be assured in short space, that he was truly turned to their faith. Yea, all men should have reason to forsake him, who had thus dissembled and forsaken his God.

“ And where it was given out, that divers do insinuate unto your Sovereign, that his honour and reputation is so deeply interesséd herein, as it must necessarily turn to his perpetual ignominy and reproach, if he give not some notable testimony to the world, of the affection and dutiful love he bare to his mother; your King being of that singular judgement, that he is thought to have, cannot be ignorant how farre true honour ought to possesse a Christian Prince; that is, not whither passion or fury useth to carry men, but whether reason and wisdom have laid the bounds, that is, within the compasse of possibility, decency and justice. If the late Queen had been innocent, revenge had been necessarily just and honourable, but being culpable, contrary in all reasonable mens judgements, he hath sufficiently discharged the duty of a son, in mediating for his mother so long as she was alive, and so farre as he was able to prevail. They which require more at his Highnesse hands, may be presumed not to regard what becometh his place and dignity, but to seek the satisfaction of their own particular passions and desires.

“ And whosoever perswaderh his Highnesse, that the mediation used by him for his Mother, contrary to the humble pursuit of the whole Parliament, hath already given that offence to the Nobility and people of this land, as it becometh him of force to have recourse to forain supports, doth greatly abuse both his Highnesse and this Realm: for as they were not ignorant what nature might and ought to move his Highnesse unto, so long as there was any hope of her life; so they do not doubt but that reason will induce him to leave forrowing, and thinking of her in due time.

“ Thus have I troubled you with a long discourse, whereunto the desire I have of the continuance of amity between the two Crowns, hath carried me unawares further then I purposed; all which I referre to your good consideration, not doubting, but you will afford most readily and willingly all good offices that shall lye in your power, to the end that a happy conclusion may ensue hereof, which shall tend to the common good of the whole *Island*; and so I commit you to God. From the Court at *Greenwich* the 4<sup>th</sup> of *March*, 1586.

Your Lordships assured Friend,  
FRA. WALSHINGHAM.

An. 1587.

A Convention  
of the Estates.

The King is  
informed of  
certain speeches  
uttered by the  
Master of Gray,  
20. Apr.

THIS letter shewed to the King, served much to allay his anger, as afterwards appeared. In the *May* after, the Estates being assembled at *Halirudhouse*, they shew a great forwardnesse all of them for assisting the revenge of his Mothers death, every man offering to spend his goods and life in that quarrel; yet the businesse was so timed out that summer, by the private dealing of certain Counsellors, as hopes were given to the Queen, that matters should compose, and a more peaceable course be taken.

It was at this time that Sir *William Stewart* brother to Captain *James*, returned again to Court, and gave his attendance upon the Master of *Gray*. The Master then was plotting a change of Court, and had conspired with the Lord *Maxwel* to kill the



the Lord Thirlstane, Sir James Home of Coldingknowes, and Mr. Robert Douglas, An. 1586. Collector, whose power with the King he greatly envied. This he reveales to Sir William, as one that he believed would take part in the businesse; and to make him the more forward, tells, that it was Thirlstane, the Justice Clerk, Blantyre, and himself that brought in the Lords at Striveling, and put his brother from Court, which he repented, and would help so farre as he could, to recall him. Sir William knowing the mans nature, and that he was not to be trusted, gave him some hopes of joyning with him, but in the mean time related all to the King. This coming to Thirlstanes knowledge, he complaineth thereof in Councel, and desireth a trial. The Master denied that any such purpose had passed betwixt them; whereupon Sir William was called, and standing to that he had told the King, they two fell a contesting; after some bitter speeches. Sir William taking him up roundly, said, that he deserved no credit, as having abused his ambassage to England, and treacherously consented to the death of the Kings Mother.

There had a rumour gone of a letter written by the Master to the Queen of England after his parting from that Court, advising her to put the Queen of Scots out of the way; and the words he had used, *Mortui non mordent*, Dead folks bite not, were in every mans mouth: and now the challenge being made publick the Councel moved the King to put the Master to trial, and commit both the one and the other. So were they both the same night sent to the Castle of Edinburgh. The Lord Thirlstane, and those others that were touched with the enterprize of Striveling, made great instance to be cleared in that point, but the King not liking to search too deeply in those busineses, said, That their own purgation, with the Declaration of the Noblemen that came home at that time, was sufficient. There were present of that number, the Lord Hamilton, the Earls of Marre and Bothwell, who upon oath declared, that they had no assurance from any about the King at the time of their coming, till they were received by his Majesty in favour. The like purgation was made by the Lord Thirlstane, the Justice Clerk, and the rest, and so that businesse ceased.

After some two or three days, the Master of Gray and his accuser were brought again before the Councel, where the same things that before we heard, being repeated by Sir William Stewart, he added further, That he knew the Master to be a trafficker against Religion, and that he had written divers letters to the King of France, and Duke of Guise, declaring that the King was to seek their assistance, in revenge of his mothers death, but intreated them not to grant him any help, unlesse he did grant toleration to the Catholicks, for exercise of their Religion. The Master being desired to answer, and as he lookt for any favour to deal ingenuously, and confesse the truth, said, That he could not deny his dealing for toleration of Catholicks, and that he disliked some of the officers of State, and could have wished an alteration, but that he never had so much as a thought against his Majesties person, beseeching to impute these things wherein he had offended, to his youth and foolish ambition. Being enquired touching the letter sent to the Queen of England, he confessed, That when he perceived her inclining to take the Queen of Scots life, he advised her rather to take her away in some private way, then to do it in form of Justice; and acknowledged the words *Mortui non mordent*, to be his, but not used by him to the sense they were detorted.

His confession did liberate his accuser, who was presently set at liberty, and he himself sent to the Tolbuish of Edinburgh to attend his arraignment, which was made a few days after. There, having repeated the same things in effect, he submitted himself to the Kings mercy; who thereupon gave order to the Justice to banish him the Realm, and in case he did return without licence to pronounce the sentence of death. Mean while he was prohibited to go either into England or Ireland, under the like pain. A punishment too mild, as many at that time judged, for crimes so hateful and odious. But the innated clemency of the King, and his unwillingnesse to use rigour towards them whom he had once favoured, did not suffer him to inflict the punishment which the offence had merited.

Captain James, who since the enterprize of Striveling had lurked amongst his friends, did now begin to shew himself, and importune the King, with delations of Thirlstane and some other Counsellors, as being accessary to his mothers death.

The Master of Gray and Sir William Stewart continued.

Sir William Stewart insisted in the challenge of the Master of Gray.

Sir William Stewart liberated, and the Master of Gray imprisoned.

Captain James information against the Lord Thirlstane.



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and having a purpose to deliver him into *England*. These informations he sent inclosed in a letter to the King by *Henry Stewart* of *Craigihall*. The King communicating the same to the Council, direction was given to charge him to enter his person within the Palace of *Linlithgow*, and remain there till the truth of these delations should be tried: certifying him that if he failed to obey, proceſſe of forfeiture should be laid against him, as a sower of discord betwixt the King and his Nobility.

*Thirlstane* created Chancellor.

When at the time prefixed he entered not, the office of Chancellary, whereof as yet he used the title, was declared void, and bestowed upon the Lord *Thirlstane*.

A Parliament indicted at *Edinburgh*.

The King being now 21. years compleat, a Parliament was indicted to be holden at *Edinburgh* the 29. of *July*, for a preparation thereto, and that the King might find the better assistance, the Noblemen were sent for, they especially betwixt whom there were known to be any quarrels. At their coming the King did presse them with a submission of all controversies, and having obtained their consents, made them all friends. Only *William* Lord *Yester* refusing to reconcile with *Tragwaire*, was committed and sent to the Castle of *Edinburgh*, where he was detained some moneths, till that variance was also composed. Such content the King conceived of their agreement, that he did feast them all royally at *Halirudhouse*, thereafter caused them walk in hands two and two in form of proceſſion, from the Palace to the Mercat Crosse of *Edinburgh*, where they sealed their concord by drinking healths one to another, to the exceeding great joy of all the beholders.

The Noblemen reconciled.

A general Assembly of the Church.

The Kings propositions to the Assembly by his Commissioners.

A general Assembly was then also called by his Majesties Proclamation to the 20. of *June*, where the King did purpose to have all matters settled betwixt him and the Church; but this meeting had not the like successe. For the Chancellor, and Justice Clerk being sent thither with certain Articles, of which two specials were to desire satisfaction for the offences committed by *James Gibson* and Mr. *John Cowper*, Ministers; and that Mr. *Robert Montgomery* might be received without any ceremonies into their fellowship; answer was made, *That if the Petitions of the Church in the approaching Parliament should be granted, they would labour to bring matters to such a middest, as might best agree with the honour of the Ministry, satisfy the offence of the godly, and the conscience of their brethren, against whom his Majesty had taken offence. And for Mr. Robert Montgomery, they should dispense with some ceremonies used in admitting excommunicants, in case the King was willing to remit somewhat of the satisfaction craved of the other two brethren.* This answer did so displease the King, as refusing to enter into any such capitulations, he left off all further treating with them at that time.

*Montgomery* resigneth the Bishoprick of *Glasgow* to Mr. *William Ereskin*.

But *Montgomery* being redacted to great necessity, and not knowing what course to take (for the Duke of *Lennox* his agents having possessed themselves in the Bishoprick, he was no more acknowledged) did resign his title in favour of Mr. *William Areskin* Parson of *Campsie*, a friend and follower of the Earl of *Marre*. This Gentleman being well beloved of the Ministry, and otherwise of good parts, obtained the consent of the Presbytery of *Glasgow*, and was admitted thereto by them, although he was a Laick and bare no charge in the Church. They being called to an accompt of this their doing in the next Assembly, excused themselves, saying, *That since Churchmen were not permitted to enjoy the Bishoprick, they esteemed it better he should be in title of it then any other, and that he had given his bonds to renounce the same, in case the general Assembly did not allow of his admission.* The excuse for the time was accepted, yet their doing was disallowed, and they ordained to pursue him upon his bonds for disanulling the admission: but he found means to retain the same, till Bishop *James Beaton* (who lived in *France*) was restored. *Montgomery* his resignation being then made publick, he was shortly after, as informally absolved as he was excommunicated, and placed at a Church in *Cunningham*, where he lived in a poor estate to his death.

The Churches petition to the Parliament against the Prelates.

The Parliament keeping at the time appointed, Mr. *David Lindesay*, Mr. *Robert Pont*, and some others, having Commission from the Church, did present themselves in the Parliament house at the first sitting, and in name of the Church desired the Prelates that were presented to be removed, as having no authority from the Church, and the most of them no function, nor charge in it at all. Mr. *Edward Bruce*.

Abbot



Abbot of *Kinlosse*, rising up and directing his speech to the King, made a long discourse of the right they had to sit, and give voice for the Church in these meetings; complaining, that the Ministers had most disorderly shut them forth of their places in the Church; and now they thought to exclude them from their places in the Estate, which they hoped his Majesty would not suffer, and would punish as a presumptuous arrogancy, on the part of the Petitioners. Mr. *Robert Pont* replying somewhat bitterly, the King willed them to be quiet, and present their Petitions orderly to the Lords of the Articles, where they should be answered according to reason. When it came to the Articles, this being in the front of their Petitions, was simply rejected; some other Petitions were passed, as they had desired, for ratifying all lawes made in the Kings minority in favours of the Church, for trying and censuring the adversaries of true Religion, and for the punishment of such as did menace or invade the Ministers of the Church.

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It was in this Parliament, that the temporality of Benefices was annexed to the Crown upon a pretext of bettering the Patrimony thereof, and that the King might have means to bear forth the honour of his Estate, and not burthen his subjects with taxations for his support. This was the publick pretext, and the King made to believe that the reservation of the Prelates houses, and precincts, with the tithes of the Churches annexed to their benefices, would suffice to maintain their dignity and estate. But privately to such of the ministry as sought the subversion of Episcopal government, it was whispered, *That this was the only way to undoe the Prelacy, for there being no livings to maintain them* (as in this case there would be little or nothing remaining, most of the Bishopricks being founded on temporal lands, and having but Churches annexed) *none would be found to accept those places*: which also proved true. Hopes besides were given to those Ministers, that they should have the tithes to use, and dispoise at their pleasure; yet was it not long, ere the King did find himself abused, the temporalities formerly disposed, (which were not a few) being all in the same Parliament confirmed, and those that remained, in a short time begged from him, and given away to the followers of Court, so as nothing was left to benefit, or reward any well deserving servant. When as he saw this, and that the spiritual Estate was by this mean utterly decayed, the Priors and Abbots being all turned temporal Lords, he did sore forthink the passing of the Act, calling it *\* a vile and pernicious Act*, and recommending to the Prince his son, the annulling thereof. The Ministers that lookt for restoring the tithes, perceiving themselves likewise deluded, began also to exclaim, and condemn the course, howbeit somewhat too late.

The temporality of Benefices annexed to the Crown.

The King forthinketh the passing of the annexation.

\* Basilicon Aedificiorum lib. 2 pag 43

In the same Parliament an Act was made in favour of the *small Barons*, giving them by their Commissioners a voice in Parliament, and Conventions with the others Estates. The Earl of *Crawford* did strongly oppose, and in name of the Nobility protested against their receiving. That which the King intended by this, was to free the Barons of their dependence upon Noblemen, and have the Estates more particularly informed at their meeting of the abuses in the countrey. But so farre was he from obtaining these ends, as to the contrary they did work him great businesse in all the ensuing Parliaments.

The small Barons admitted to give voice in Parliament.

Soon after the Estates dissolved, the Lord *Hunsdon* Governour of *Berwick*, sent to intreat presence of the King, who yeilded the more willingly, because he of all the Nobility of *England*, had medled least in the proceedings against his Mother. The Nobleman proposing the same reasons in effect which *Walsingham* had used in his letter to the Chancellour, and laying before the King the danger, wherein he might bring the title and right of succession, (which otherwise was undoubted) if he should enter into open warre with *England*; did earnestly beseech him, "seeing that which was done could not be undone, to give place unto necessity, promising (because it was still beaten into the Kings ears, that the execution of his Mother did barre his succession) to bring unto him a Declaration under the hands of all the Judges of *England*, that the sentence given against his Mother, was no hurt to his right, nor could work any prejudice to his succession.

The Lord Hunsdon hath presence of the King.

This conference did break the King very much from his resolution, yet the outcries of the countrey were great, and their desires so vehement for revenge, that he

A Proclamation against incursions in England.



An. 1587.

parted with *Hunsdon* in doubtful terms. But when the Declaration of the Judges, which he had promised, was brought unto him, and therewith the sentence given against *Davison* in the Starre Chamber, (whereby it appeared that the execution was done without the Queens knowledge) he became more appeased, and suffered Proclamations to go out, inhibiting all that dwelt in the Borders, to make incurfions upon *England* as they were begun to do.

The Ambassadors sent into *Denmark*, return.

\* 15. May:  
† Latter end of *August*.

About the same time did *Patrick Vaus* of *Barnbarrough*, and Mr. *Peter Young* his Majesties Elemosynar (who had bin sent unto *Denmark* to treat of the marriage \*) return † making report of their agreement: whereupon conclusion was taken, that in the opening of the spring, a Nobleman should be directed to accomplish the ceremonies, and bring home the young Queen. But the death of King *Frederick* her Father, who departed this life in the moneth of *April* next, with other occasions that intervened, made the businesse to be delayed certain moneths.

A Proclamation against Jesuits and Priests.

In the end of the year there came from beyond Sea divers Jesuits and Priests, to deal with the Catholick Noblemen for assisting the *Spanish Armada*, which was then preparing to invade *England*, if possibly they should take land in *Scotland*; for their hope was to find the King favourable, because of the Queens proceedings against his Mother, and that he should joyn his forces with the *Spanish*, for revenge of that wrong. But he considering his own danger, if strangers should set foot in the Isle, and not trusting that the *Spaniard* would take the pains to conquer for him the Crown of *England*, (for that also was proffered) refused to give ear unto such motions. Mr. *James Gordon* Jesuit, and Uncle to the Earl of *Huntley*, had been all the summer before in the countrey, and was overseen because of his Nephew, whom the King intended to match with the Duke of *Lennox* his eldest sister; neither was he much feared, as being a simple man, and not deeply learned; Mr. *Edmond Hay* brother to *Peter Hay* of *Megnish*, a Jesuit also, but of greater account, and more politick and wise, did thereafter arrive, pretending that he came to take his farewell of his friends, and after him came divers others, which made the King give out a Proclamation against the resettters, and for apprehending their persons.

The Jesuits find caution to depart.

In this Proclamation, besides Mr. *James Gordon* and the said Mr. *Edmond Hay*, I find named Mr. *Gilbert Brown* Abbot of *Newbottle*, Mr. *John Drury* son natural to *George Drury* sometimes Abbot of *Dunfermling*, Mr. *Alexander Mackwhirry*, Mr. *James Cheyn*, Mr. *Alexander Meldrum*, Mr. *William Crichton*, Mr. *James Seaton*, and Mr. *John Morton*; most of these upon their supplications and sureties given to depart in the first ships, obtained a protection unto the last of *January*: which did so offend the Ministers, as they did call a number of Noblemen, Barons, and Commissioners of Burghs, to meet at *Edinburgh* the sixth of *February*, for advising upon some remedy against the present dangers. The meeting was frequent, and Mr. *Robert Bruce* by the suffrages of all chosen to preside. He had preached ordinarily at *Edinburgh* a year or somewhat more, and was in great respect with all sorts of people, but had not entered as yet unto the ministerial function.

A general Assembly of the Church.

Certain assessors chosen according to the custome, the first thing proposed, was touching the dangers threatened to Religion, and the readiest means for quenching the fire of Papistry kindled through the whole countrey, which they were all greatly exhorted to take to heart, and to consider what course was best, to obviate these dangers. And to the end things might be done advisedly, the Noblemen were advised to meet apart, the Barons and Commissioners of Burghes likewise apart, to set down their advice in writing, and present the same to the whole Assembly the next Session.

A Proposition made for the dangers threatened to Religion.

The advice of the Noblemen and Barons.

The day following all being convened, the advice of the Noblemen and Barons was presented, containing three heads. " 1. That the laws of the countrey " should be prosecuted against Jesuits, Seminary Priests, Idolaters, and the maintainers thereof. And for the more speedy effectuating of the same, that the " names of all such should be enrolled, and delivered to the Thesaurer, with the " names of their resettters, and entertainers, to the end citations might be directed " against them. 2. That in regard of the danger so imminent, his Majesty and " Council should be earnestly solicited to proceed in execution of the laws against " the



“ the principal Jesuits, and their maintainers without delay. - 3. That the Noble-  
 “ men, Barons, Ministers, and whole Assembly should go together to his Maje-  
 “ sty, and regrave the peril whereunto the Church and Kingdom was brought by  
 “ the practises of Jesuits, making offer of their lives, lands, and friendship to be  
 “ employed at his Majesties direction for preventing their wicked devices.

An. 1587.

This advice being approved, command was given to meet at two of the clock  
 in the afternoon, that all might go together from the place of the Assembly to  
 the Palace of *Halirudhouse*, where the King then remained. When this was told to  
 the King, and that they were to present themselves in such numbers, he grew into  
 choler, and said, *They meant to boast him with their power, and force the execution of*  
*their demands.* Therefore refusing access to the multitude, some few of the prin-  
 cipals only were called, to whom he uttered his dislike of those irreverent and tu-  
 multuary forms. Yet because he did acknowledge their complaint to be just, and  
 that there was need of a remedy to the evils complained of, he promised to appoint  
 six of the Council to meet with such as the Assembly should design, for advising  
 upon the best remedies.

The King re-  
fusethe access  
to the multi-  
tude.

This reported to the Assembly, they did nominate the Lords of *Wedderburn*,  
*Colluthie*, *Caprinton*, *Ormston*, and *Whittingham*, *John Johnston* Commissioner for  
*Edinburgh*, *Oliver Peblis* for *Perth*, and *William Menzeis* for *Aberdene*: Mr. *Robert*  
*Pont*, *David Lindeſay*, *Andrew Melvil*, and *Peter Blackburn* to attend. These con-  
 vening the next day, with the Chancellor and some others of the Council, did  
 urge in name of the Church, *That Mr. James Gordon, and Mr. William Crichton*  
*Jesuits, who were known to be in Town, should be apprehended; and that the reseters of*  
*Jesuits and Priests, none excepted, whether they were Noblemen, or others of an inferiour*  
*degree, should be punished according to the lawes.* For the *Noblemen*, the Chancellor  
 answered, that the King did mean to use them more calmly, and as he had begun  
 with the Earl of *Huntley* (of whose conversion there were good hopes) so he would  
 proceed with others of that degree. For the *two Jesuits*, it was promised, that or-  
 der should be taken for their dispatch forth of the countrey.

A conference  
betwixt certain  
of the Council  
and the Assem-  
bly.

The Assembly no ways pleased with the report of this conference, resolved to  
 present their griefes to his Majesty in writing, and insist for a more direct answer  
 to their desires, as they did, exhibiting therewith the names of Jesuits, Priests, and  
 their reseters, such as had been delated to the Assembly. Among others they  
 complained of the Lord *Hereis*, and the disorders committed by him at *Dumfreis*,  
 where he had openly erected Masse, and forced the Ministers to leave the Town.  
 The King having considered the griefs, made answer, *That albeit they had now ar-*  
*rant from him to assemble at that time, yet (as he had signified before to the Noblemen that*  
*were sent unto him) he was glad to hear that they were convened in so frequent a number,*  
*the businesse being of such importance, and that he should do what became him as a King to*  
*do, neither should any of those that he found unreclaimable, have credit or countenance of*  
*him.* For the Lord *Hereis*, he said, *that he was more offended with him, then any of*  
*themselves, and had resolved to take journey in the beginning of March unto Dumfreis,*  
*for punishing that and all other insolencies committed by him.*

The grievan-  
ces of the  
Church, pre-  
sented to the  
King.

This answer reported by the Chancellor, gave some content, thereafter as he  
 was directed, he shewed the Assembly that the King did expect a reparation of the  
 offence committed by the Minister *James Gibson*, for he had obtained his liberty,  
 upon promise that he should give satisfaction at the Churches sight. Hereupon the  
 Minister was called, who acknowledged his offence, and was enjoined the next  
 Sermon day to preach, and publickly acknowledge the speeches complained of, to  
 have been unadvised and rashly uttered. This he promised to do, yet when he came to  
 the place, he made no mention at all of that businesse, and being immediately char-  
 ged for not doing that he had promised, he answered, *That out of infirmity and weak-*  
*nesse he had confessed a fault, albeit his conscience did tell him, he had not spoken any*  
*thing that might give just offence.* The Chancellor perceiving the mans inconstan-  
 cy, and that he had been diverted by some ill disposed persons, required the judge-  
 ment of the Assembly, *Whether or not they did esteem it an offence, to call the King a*  
*persecutor of the Church, and to affirm in pulpit, that he should be the last of that race.*

The Minister  
*James Gibson*  
censured for  
his speeches  
against the  
King.

The



*An. 1588.* The question was a while declined, yet in end being put to voices, it was found, that the speeches were slanderous and offensive, and that he ought therefore to be censured.

*Gibson suspended from his ministry.*

It being then 12. of the clock, the defining of the censure was continued to the afternoon, and the Minister warned to attend. The hour come, and he not appearing, the businesse was greater then before; some alleadging that citation must be used, ere any censure was inflicted, others excused his absence upon just fear, being pursued by so great personages. Hereto it was replied, *That there was no fear of any indirect or violent course to be taken; the King, who by his own authority might have punished him, having for the regard he carried to the Church, choosed to complain to the Assembly, and remit the offender to be censured by themselves.* Next for the citation required, it was answered, *That the warning given him in the face of the Assembly was sufficient, and that by his not appearing, he had added contumacy to his offence.* These answers being held sufficient, and the voices askt touching his censure; by the greater number he was ordained to be suspended from the ministry, during the pleasure of the Assembly. Yet this did not end the businesse; for in August thereafter, another Assembly being convened, the Minister appearing declared, *That the reason why he withdrew himself in the former Assembly, was not any contempt or stubbornness on his part, but the care he had of the Churches peace, the affairs whereof, as he was informed, had been cast off if he had compeired, and not been punished.* Upon this Declaration, without once acquainting the King, he was purged of contumacy, and thereby a way made to his reponing. The King, as he had reason, being greatly offended with these proceedings, and intending to right himself otherwise, the Minister fled to England, and remained there a long space, entertained by the factious brethren in those parts, who were labouring at that time to bring in the *holy discipline*, as they termed it, into that Church.

*The Lord Hereis cleared of the accusation made against him.*

The Lord *Hereis* in the mean time being certified of the Kings intended expedition into the West Marches, prevented him and came to Court, offering himself to trial; nothing being found but certain neglects in the administration of his office (for the complaint of erecting Masse at *Dumfreis*, and compelling the Minister to leave the Town, was not verified.) Upon promise to amend, and surety given that he should resort to Sermons, and suffer nothing to be done within his Wardenry to the prejudice of Religion, he was sent back to his charge.

*An. 1588.*

*The Borders begin to stirre upon the Lord Maxwels return.*

Soon after the Lord *Maxwel*, who had been licenced to go abroad, and had remained some moneths in *Spain*; having seen the preparation made for invading of *England*, by the advice of some *Scottish* Catholicks, returned into the countrey (notwithstanding the assurance he had given not to return without licence) taking land at *Kirkudbright* (a part of *Galloway*) about the end of *April*. It was then expected that the Navy should take their course to the West parts of *Scotland* where they might land more safely, and with the assistance of *Maxwel* and others that would joyn with them, enter into *England* by the Borders; which if they had done, would doubtlesse have been more to their advantage, but they took their counsels, as we shall hear.

*The Kings expedition to Dumfreis.*

Upon *Maxwels* return number of broken men, and countrey people resorted unto him, conjecturing there was somewhat in hand which would give them work. The Lord *Hereis* not able to command them, and fearing if any disorder arose, the same should be imputed to him, came and shewed the King what appearance there was of trouble. Charges were incontinent directed for *Maxwels* appearing before the Councel, but he disobeyed, and fortifying his houses, and other strengths that he had in custody, began to levie some companies of foot and horse: which being told to the King, he with such forces as he could have of a sudden, took journey to *Dumfreis*, and came upon him so unexpected, as he had almost surprised him in his house at *Dumfreis*. But upon warning given him, an hour before the Kings coming he escaped, and went to *Galloway*. Some little resistance was made at the Port, which gave him leisure to escape, and was excused by the Towns ignorance of the King his being there in person.

The next morrow which was the 28 of *May*, the houses of *Lochmaben*, *Langholme*



*holm, Treve, and Carlawerok*, were summoned to render; all which obeyed, the Castle of *Lochmaben* excepted. This was kept by one Mr. *David Maxwell*, who trusting foolishly to the strength, refused to yeild, though the King himself going thither, did call him by name (for he knew the man) commanding him to render. Upon his disobedience the house was inclosed; and because there was no munition at hand whereby to batter it, a Post was directed to borrow some Ordinance from the *English* Warden, which was quickly conveyed thither, and a company of soldiers sent to guard the same. These began no sooner to play, then the Keepers terrified with the noyse, craved a parley. Sir *William Stewart* brother to Captain *James*, being imployed to conferre with them they yeilded, upon promise as was said, that their lives should be spared. But the Captain, because he had refused the King himself at first, was hanged, the rest were pardoned, and suffered to depart.

The King returning the same night to *Dumfries*, directed Sir *William Stewart* to try what course *Maxwell* had taken, and to do as he found occasion: having learned that he had taken sea in a small Bark, he followed in a ship rigged forth by the town of *Aire*, and overtaking him some miles off, brought him back and delivered him prisoner to the King, who was then returned to *Edinburgh*. It was no small peece of service, and by all men so esteemed. But the countenance the King gave him, made the man so swell, as falling in a contest for I know not what matter; with the Earl of *Bothwell*, he used some uncivil speeches to the Nobleman, who meeting him a few days after in the high street of *Edinburgh*, did in a suddain conflict kill him outright.

The newes of the *Spanish* Navy being then divulged, and the King advertised of their setting forth; he called the Estates to a meeting at *Edinburgh*, and imparting to them the advertisements he had received, did ask their advice how he should carry himselfe in that businesse. For howbeit, said he, *I have no great occasion for my self to fear, being under league and friendship with all Christian Princes and Estates, yet the case of England ere it be long may turn to be our own, and we forced to share with them in their troubles. The intention of Spain, I know, is against England; and considering the right I have to that Crown after the Queens death that now reignes, I see not how it shall be safe for me, to let another possess himself of that Kingdom; nor will any man make me to think, that the King of Spain, if he shall chance to prevail, will part with it, and give place to my right, having once made conquest thereof. As now whilst the event is doubtful, they speak fair and make liberal promises; but if matters succeed to their mindes, we shall hear other words. They take Religion for a pretext of their invasion, but it is the kingdom they seek: and granting that Religion were the true cause, are not we our selves in the same case with England? The prosecution of the holy league, will strike no lesse upon us, then them. But for my self, I have ever thought mine own safety, and the safety of Religion to be so conjoynd, as they cannot well be separated; neither desire I to live, to reign any longer then I may serve to maintain the same. I am not ignorant what the opinion of many is, and that they think I have now a fair occasion to revenge the wrong and unkindness I received by the death of my mother. But whatsoever I think of the excuses which the Queen hath made to me, I will not be so foolish, as to take the help of one that is mightier then my self; nor will I give such liberty to mine own passions, as therefore to neglect Religion, and cast in hazard both this Kingdom, and those others that belong to me after her death. By this you see what my mind is, and the reasons that lead me to it. I have called you that I may have your counsel and assistance at this time, and therefore desire to hear of you, what is the best both for you and me to do.*

This speech was seconded by the Chancellor, who did out of his reading adduce divers Histories, to make good what the King had said, "That it was no way expedient to side with *Spain* in that invasion, or suffer him to possess himself of *England*: yet since the Queen had not required any aid from him, his opinion was, that he should strive to assure his own Kingdom, and not to permit them to take land in his bounds; That a general muster should be taken in the whole Realm, and some Noblemen named, unto whom upon occasion, the subjects might resort, watches appointed at all the Sea-ports, and Beacons erected in the highest places, for advertising the countrey if any fleet was seen at Sea, and that the

An. 1588.

*Lochmaben* rendered, and the Keeper executed.

The Lord *Maxwell* taken prisoner at sea by Sir *William Stewart*, and brought prisoner to *Edinburgh*.

Sir *William Stewart* killed by *Bothwell* penult. Julii.

A meeting of the Estates upon the rumour of the *Spanish* Navy beginning of August.

His Majesties speech to the Estates.

An. 1588.

The Chancellor for his speech seconding the King.



An. 1588.

*Boithwell per-  
swaded the in-  
vasion of Eng-  
land.*

Colonel Sem-  
ple his arrive at  
Leth.

The Colonel  
apprehended,  
and received by  
the Earl of  
Huntley  
\* 21. July.

Huntley offers  
to present the  
Colonel to the  
Council.

Sir Robert Sid-  
ney sent from  
England to the  
King, 29. Au-  
gust.

The History of  
the Spanish  
Navy.

“ the King and Council should stay at *Edinburgh* to attend the successe of things, “ and direct the subjects accordingly. His opinion was applauded of all, *Boithwell* excepted, who was earnest to have the occasion imbraced of invading *England*, and therein was so forward, that upon his own charges he had levied souldiers to serve under him, if the resolution which he expected should have been taken. But the King willing him to look unto the Sea, (for he was Admiral by his office) and to take care that the ships within the countrey were ready for service, he acquiesced.

A little after the Convention dissolved, Colonel *Semple*, who had betrayed the town of *Lire* to the *Spaniard* some six years before, and remained for the most part with the Prince of *Parma* in *Flanders*, arrived at *Leth*, pretending a Commission from that Prince to the King. But the matters he proponed were of so small importance, as the King apprehending the Commission to have been given him rather for a colour of his practises, with some ill disposed subjects, then for the businesse pretended; commanded Sir *John Carmichael* Captain of the Guard, to have an eye upon him unto his return, (for he was then going to *Falkland*) and if he perceived any letters brought unto him in the mean time, to take and present them to the Council. *Carmichael* getting notice that a Pinnace was arrived in the *Firth*, and a passenger landed, went straight to the Colonels lodging in *Leth*, and finding him unsealing the letters, shewed what he had in charge, and what it concerned him to present the same to the Lords. The Colonel offering to go himself to the Council, the Earl of *Huntley* who did then reside in a lodging near the Palace of *Hali-rudhouse*, with his young Lady whom he had married a few days before, \* upon notice of his apprehension did meet *Carmichael* in the way, and forced him to quire his prisoner, saying, that he would enter him to the Council. Advertisement going of this to the Chancellour, who was then at the Evening service in *S. Giles* (for it was a time of publick humiliation) he came forth, and being followed by a great number of people, made towards *Huntley*, and had certainly taken back the Colonel, if the King who was then come from *Falkland*, had not happened to encounter him as he went down the street, with whom he returned to the lodging within the City, where at that time, and most of the Winter, the King did keep his residence.

There the Chancellor declared what had fallen out, and whither he was going, intreating his Majesty to take some order with the insolvency committed. *Huntley* being called, after some frivolous excuse, did promise to present the Colonel the next morning, but he escaping the same night, was not any more seen. The King did highly offend at his escape, yet was loth to use the Nobleman with rigour having matched him so lately to his Cousen; only he discharged him to come in his presence, neither was he admitted unto it till the newes were brought of the dissipation of the Navy; and then as in a time of publick joy, that fault was overseen and pardoned.

The Queen of *England* in the mean time hearing what course the King had taken, how he had committed *Maxwel* to prison, and was preparing to resist the *Spaniard*; sent Sir *Robert Sidney* to give him thanks for his good affection, and to make offer of her assistance, if the *Spaniard* should make offer to land in *Scotland*. The King received him graciously, and as he was discoursing of the ambition of *Spain*, and his purpose to take in *England*, said, that the King needed not to expect any greater kindnesse at his hand, if he prevailed. The King merrily answered, *That he lookt for no other benefit of the Spaniard in that case, then that which Polyphemus promised to Ulysses; namely, to devour him after all his fellowes were devoured.* Neither did *Sidney* sooner return, then a fresh advertisement was sent from the Queen of their overthrow.

Of this Navy and the destruction that befell it, many have written so particularly, as nothing can be added. Yet because the benefit redounded to this Church and Kingdome, no lesse then others; and that the spoiles of that wreck fell for some part in our Northern Isles, we shall touch it a little. The Navy consisted of 134. saile, a great part whereof were *Galleasses*, and rather like Castles pitched in the Seas, then ships. The vessels carried 8000. saylers, 22000. souldiers and above, besides the Commanders, and voluntary adventurers, who were reckoned 124.

and



and for provision they had abundance of whatsoever was necessary, either at sea or at land. Their direction was to joyn with the Prince of *Parma*, and his forces, who were appointed to meet them in the narrow Seas, and to invade *England* together. But whether the Prince had not time sufficient to prepare himself, or that he was kept in by the *Holland Fleet*, he came not as was expected. At *Plimmouth* the *English* had the first fight of the Navy, and kept combat with them till they anchored in the road of *Callais*. Before they came thither, they lost the Gallion wherein *Don Pedro de Valder*, and divers other Noblemen were, which was taken in fight and sent to *Plimmouth*. And the Gallion commanded by *Don Michael de Oquendo*, took fire, and therein many were burnt to death, yet the nether part of the ship, being saved, was likewise sent thither. The Galliasse of *Naples* commanded by *Don Hugo de Moncada* perished in the sands of *Callais*; where whilest they lay at Anchor, Captain *Drake* by a stratagem put them in great confusion; for choosing out eight small ships that were least useful, he filled them with pitch, brimstone, gunpowder, and the like combustible matter, and charged the Ordinance with bullets, stones, broken iron, and chaines. The ships driven with the wind and tide into the midst of the Navy, and the traines taking fire, put the *Spanish* in such fear, (the same falling out in the night season) as having no leisure to weigh their Anchors, they were forced to cut their Cables, and make to the Sea.

An. 1588.



Captain Drake's stratagem.

The next morning ranging themselves again in order, they approached to *Graveling*; but no supply coming from *Parma*, and the *English* ships hotly pursuing them, they were compelled to passe by. In this conflict perished the Gallion of *Biskay*, and two other great ships. Two Gallions of *Portugal*, the one called *S. Philip*, the other *S. Matthew* having lost their tackling, and being torn with shot, made towards the coast of *Flanders*, and were taken by the *Zelanders*. Once as it seemed, the General with the rest of the Navy, bent their course towards *Scotland*, but not knowing what favour they should find there, and the wind blowing fair, they resolved to make home by the North Isles. The General himself with the best provided vessels, took the main Ocean towards *Biscay*, and arrived safely in *Spain*. The rest seeking to take in fresh water, partly in the Isles, and partly in *Ireland*, were so tossed with tempests and contrary winds, that 40. and above were cast away in those Seas. A ship of *Florence* driven upon the West coast of *Scotland*, was spoiled and set on fire by certain Highlanders. Shortly, the destruction was so great, as of the 134. Ships, that set sail from *Lisbone*, 53. onely returned to *Spain*; of the souldiers, besides the mariners, 13500. were lost by one way or other. And as they write, not a family in *Spain* of any note there was, which suffered not in this expedition, having lost either a son or a brother, or some nigh kinsman. Such was the successe of the *Spanish* Navy, which had been four years in preparing with no small cost, and in a few days was thus overthrown; one *English* ship onely being lost, and about 100. men in all. The King caused solemn thanksgiving for this deliverance to be given to God in all Churches of the Kingdome, beginning in his own Court for an ensample to others.

The Navy returned to Spain.

This was the *marvellous year*, talked of so long before by the *Astrologues*, which this defeat, and the accidents that fell forth in *France* about the end of the same year, did in a part make good. In this kingdom (which we ought ever to remember with thankfulnesse to Almighty God) happened no dyfaster, for which we had cause to be grieved, the death of *Archibald* Earl of *Angus* excepted, who deceased in the moneth of *July*: a Nobleman as in place and rank, so in worth and virtue above other subjects; of a comely personage, affable and full of grace, a lover of Justice, peaceable, sober, and given to all goodnesse, and which crowned all his virtues, truly pious. A long time he lived in exile in *England*, not through his own fault, but the misfortune of his friends, whom he could not forsake. After he was restored to the Kings favour, no man did carry himself in better sort, and in that time which was full of factions, he kept himself free of all partakings; being imployed in the Lieftenandry of the Borders, he discharged himself to his Majesties great content, and to the liking of all the subjects; and not long after, fell into that disease, whereof he died, leaving no heir male, and one only daughter by his second marriage,

The death of Archibald Earl of Angus.



An. 1589.

His disposition  
in his sickness.

age, who did not long survive him. Never died any Nobleman with greater regrave, and so much the more was his death lamented, that as it was then thought, and afterwards confessed, that he was taken away by sorcery and incantation. In the time of his sickness, when the Physicians found his disease not to proceed of any natural cause, one *Richard Graham*, who was executed some years after for witchcraft, being brought to give his opinion of it, made offer to cure him, saying, as the manner of these Wizards is, that he had received wrong. But when he heard that the man was suspected to use unlawful arts, he would by no means admit him, saying, *That his life was not so dear unto him, as for the continuance of it some years he would be beholden to any of the Devils instruments; That he held his life of God, and was willing to render the same at his good pleasure, knowing he should change it for a better.* Thus after a long and languishing disease, he died in *Smeton* near to *Dalkeith*, and was buried in *Abernetby*, in the sepulchre of his progenitors. The houses of *Angus*, and *Morton*, which within his person were conjoynd, went by provision of Taile to the *Lairds of Glenbervy and Lochlewin*.

A message  
from the Prince  
of Parma to  
the Catholick  
Lords.

The hopes that our Catholicks conceived of the *Spanish Navy* being now frustrated, they had lost heart quite, but that the Prince of *Parma* did of new encourage them by his letters, shewing that the losse was nothing so great as it was given out to be, and giving them hopes of another Army that set out more timely, and to be with them the next spring. These letters were sent by one *Mr. Robert Bruce*, and delivered to *Huntley*, to be communicated with the rest of that faction. Shortly after came one *John Chesholme*, bringing with him ten thousand Crowns, which were delivered to *Bruce*, to be used as he thought most fit, for advancing the cause. The Earl of *Huntley* made instance to have the third part of the summe; Lord *Claud Hamilton* pleaded for as much, and *Maxwel* lying then in prison, held no lesse to be due to him. But *Bruce* excused himself by the charge he had to dispend the mony by the advice of *David Graham of Fintrey*, who was warded at the same time in *Dundey*, and payed them all with one answer. The Lord *Claud* more covetous then the rest, because he could not come by any part of the money, grew more cold in the business. *Maxwel* had some sent him, for his consolation in the prison: But *Huntley*, having at the Kings desire subscribed the confession of faith, and reconciled himself to the Church, was wholly neglected.

Huntley recon-  
ciled to the  
Church.

An. 1589.

Huntley excu-  
seth his recon-  
cilement by a  
letter.

This he excused afterwards by a letter to the Prince of *Parma*, professing,  
“ That after the escape of Colonel *Semple*, he found himself so busied on all hands,  
“ and in such sort pressed by the King, as it behoved him either to yeild, or depart  
“ out of the countrey, or then to have taken the fields: which well he could not do,  
“ all hope of help being taken from him by the return of the Navy of *Spain*, but in  
“ what he had failed he should endeavour to amend, by some good service tending  
“ to the advancement of the cause of God, who had put him, *he said* in such credit  
“ with the King, as he had broken his former guards, and made him establish others  
“ about his person, by whom at all occasions he might assure himself, and be Ma-  
“ ster of the King, and so when the support promised should arrive, spoile the he-  
“ reticks of his authority, and make sure the Catholicks enterprises. Therefore  
“ besought him to be perswaded of his unchangeable affection, albeit in outward  
“ action he was forced to accommodate himself to the necessity of the time. This  
letter was dated at *Edinburgh* the 24. of January 1589.

A letter from  
the Earl of  
*Arroll* to the  
Prince of  
*Parma*.

Another of the same date was sent by the Earl of *Arroll* (whom *Mr. Edmond Hay* the Jesuit had seduced and brought on that course) to *Parma*, bearing, “ That  
“ since his conversion to the Catholick faith he did ever think himself obliged to  
“ procure the advancement of the Catholick Kings enterprises, tending prin-  
“ cipally to that end, and to another civil cause, which had great affinity and  
“ conjunction with things at home, in regard whereof he said, that ever before  
“ his conversion, he had been in his affection one of his friends, and servitours; and  
“ that Religion, which was the greatest, and most important cause of the world,  
“ being now joyned to the other, he was become altogether his. This he did intreat  
“ his Highness to signify to his Catholick Majesty, and to assure him that in *Scotland*  
“ he had not a more affectionate servant then himself. The like he did professe to  
the



the Prince, remitting his intentions to be more fully declared by him, that should deliver the letters. *An. 1589.*

There went other Letters at the same time from the Earls of *Huntley*, *Crawford*, and *Morton* (so did the Lord *Maxwel* style himself) to the King of *Spain*, wherein after they had expressed their great regrate for the disappointment of his preparations, they said, "That if his Naval Army had visited them, the same should have found no resistance in *Scotland*, and with the support they would have made given enough to do to *England*, but that it seemed the *English* Catholics who had their refuge in *Spain*, out of an unchristian enmity did extenuate the means of the *Scottish* aid, to magnify their own, and to have it thought that they were able to do all by themselves; Therefore they prayed his Majesty to make such account of the one, as he neglected not the other, and to serve himself with them both, to the ends he did aim at. Then remitting to the Declaration of some of his own subjects who had been in those parts, the commodity and advantage of landing an Army in *Scotland*; they said, "That having 6000. men of his own countrey, with money to levie as many more, they might within six houres of their arrivall be well advanced in *England* to assist the forces that he should send thither, and that the expence bestowed upon ane Gallies, would profit more being so employed, then many of them put to Sea could do. Withall, they advised him not to make any more Armies by Sea, but to send a part of his forces to *Scotland*, and another by the back of *Ireland* toward *England*, and so divide the *English* forces, which should be partly attending at Sea, partly employed in *Scotland*, where they should believe all their forces to be landed. A further Declaration hereof they remitted to Colonel *Semple*, and so praying God to give him a full accomplishment of all his holy enterprises, they took their leave.

Letters sent to the King of Spain from the Catholick Lords.

Neither were the Jesuits that lurked in the countrey in this mean time idle; of these the principals were, Mr. *Edmond Hay*, and Mr. *William Creighton*, who had been prisoners some few moneths in the Tower of *London*. They advising the Popish Lords to attempt somewhat by themselves, which would make the King of *Spain* more earnest to give succour; a plot was laid to take the King out of the Chancellor and Thesaurers hands, by whose counsel they thought he was only ruled, and that the pretence should be the neglect of the Nobility, and the ill managing of publick affairs. This way they hoped to procure the assistance of other Noblemen that were discontented, and that no mention being made of Religion, the countrey would be more cold in resisting their enterprife. The time and place of meeting being condescended on, *Fintrie* undertook to bring the Earle of *Montrose* to the party, and of *Bothwell* they held themselves assured, as well for the malice he professed to the Queen of *England*, as because in a conference with *Brace* the *Spanish* Agent, he had promised if he should assure him of the two Abbeyes of *Coldingham* and *Kelfo*, which he possessed, he should presently turn to their side.

The Jesuits stirre up the Lords to enterprife somewhat by themselves.

A plot for taking the King.

To bring about this their purpose, the device was, that they should meet all at the quarrel holes betwixt *Leth* and *Edinburgh*, and go from thence to *Halirudhouse*, and settle themselves about the King, secluding those two Counsellors, or if they found them with the King, that they should presently kill them. But this device was overthrown by the Kings remaining in *Edinburgh*, who suspecting some plots against the Chancellor, did for his security stay in the same lodging with him. *Bothwell* abode at that time in his house at *Creighton*, and kept about him the souldiers that he had conduced, pretending a journey to the Isles, and the collecting of the Kings duties in those parts. *Crawford* and *Arrol* came with their friendship to the North Ferry. *Montrose* fained a visit of his Cousen Mr. *John Graham* at *Halyards*, some six miles from *Edinburgh*, and upon advertisement that the King did keep lodging within the Town, advanced no further. But *Huntley* who resided then with his Lady at *Dunfermlin*, presuming much of the Kings affection, held on his way and in the evening on which they had appointed to meet, came unexpected to the Kings lodging, where he found him in conference with the Chancellor.

A practise against the Chancellor.

*Huntley* cometh to the King.



An. 1589.

The King seeing him brack of his purpose, askt whence he came, and how he fell to be so late, and from that falling into another discourse, the Chancellor stept aside to the window. *Huntley* had brought with him the Laird of *Kinfawns*, brother to the Earl of *Crawford*, and some of *Arrols* men, that were esteemed of best courage and action. These filling the presence, and looking as men that had some purpose in hand; the Chancellors friends began to suspect the worst, whereupon the Laird of *Ormeiston*, *Carmichael*, and the Provost of *Lincolnden* drew nigh and stood by him; after the King had talked a while with the Earl, he retired to his Cabiner, and staying somewhat longer then was expected, the Chancellor asking the Usher if it was time of supper, & he answering, that it was more then time; then said he, Let us go: and with those three that kept fast by him, passed forth of the Chamber, and through the company that stood in the presence (all of them making way) to his own lodgings, which were just above the Kings rooms. How soon he came there, he sent one to shew the King, how unseemly it was to fill the presence with such companies, and men armed as they were, saying, that he would not have permitted the same, if he had been alone in the lodging, nor have cast himself in such danger.

*Huntley* committed in the Castle of *Edinburgh*.

Presently the roomes were ushed, and the Earl with his company went forth. The next morning the King sent for him, and at his coming began to examine wherefore he came to Town, and why in that manner: his answers not satisfying, he was committed in the Castle. By advertisement given the same day of the companies that were with *Crawford* and *Arroll* at the North Ferry, and there dissolving, the whole purpose was discovered: whereupon the Earls of *Arroll* and *Bothwell* were cited to appear before the Council, and for their disobedience denounced Rebels. *Montrosse* and *Crawford* were not called, having excused themselves as it was said, and promised to meddle no more in that businesse. *Huntley* upon the like promise, after a few dayes obtained his liberty, and went into the North. In his going thither, whether of purpose or by accident, it is uncertain: the Earl of *Crawford* did meet him at *Perth*, where at first they concluded to fortifie the town as a place most convenient for drawing forces together from all quarters; but doubting how they should make good the enterprise, they gave it over, and getting intelligence that the Thesaurer was come to *Angus*, and had appointed a meeting of some friends at the Church of *Meikle*; they belayed the wayes, and gave him the Chase unto the house of *Kirkhill*, where he was received: being desired to render, upon his refuse, fire was cast to the house, and he forced to yield himself, as he did, to his Cousen the Laird of *Achindown* who kept him some weeks prisoner in the North.

*Huntley* set at liberty.

A letter from the Queen of *England* to the King.

The Letters written to the King of *Spain*, and Prince of *Parma*, whereof we made mention, and some others from Mr. *Bruce* directed to the same Prince, being about this time intercepted, laid open all the practises of these Noblemen; which being reported to the Queen of *England*, she wrote to the King a sharp letter, wherein complaining of his remissnesse in punishing these treacheries, & of the entertainment he gave to the *Spaniards* that had fled into *Scotland*, after their wrack in the Irish Seas; she besought him not to overslip such happy occasions, as it had pleased God to offer him by revealing these practises; as likewise to rid the Realm of those strangers, and send them away with speed. Hereupon order was taken for their dispatch, and ships conduced to transport them unto *west-Flanders*. The *Hollanders* advertised of their coming, sent forth some ships to intercept them, and meeting them some two miles from the coast of *Flanders*, took one of the vessels and put to the sword all the *Spaniards* that were therein, the rest ran their vessels on ground, where a number seeking to save themselves by swimming, were pitifully drowned.

The Lords make open insurrection.

A Proclamation was likewise renewed against the Jesuits, and their ressetters, and Mr. *Edmond Hay* Mr. *William Creichton*, Mr. *Robert Bruce*, and *David Graham* of *Fentry*, commanded under pain of death to depart the Realm. But they contemning the charges, did stir up the Earls of *Huntley*, *Crawford*, and *Arrol*, to make open insurrection. These three taking Arms, and assembling all the forces they could gather, came to *Aberdene* in the beginning of *April*, where they made Proclamations in the Kings name, « Declaring that he was held captive, & forced against his mind to use his Nobles more rigorously then he desired, requiring all the Lieges to concurre and assist

« them



.. them for setting his person at liberty. Their hopes were that *Bothwel* with his friendship in the South, should make the King such businēse, as they needed not to fear any suddain pursuit; but the King having caused denounce *Bothwel* and the chief of his followers Rebels, resolved to begin with them, and leave him to his return. So charges being directed to warn all the subjects remaining on the South of *Aberdene* to accompany the King, and they gathering somewhat slowly, he made forward with those he had in his company toward the middle of *April*, and having advanced as farre as *Cowry* (a little Village some ten miles off *Aberdene*) was there advertised that the Earls were 3000. strong, and marching directly towards him.

An. 1589.

The Subjects  
warned to ac-  
company the  
King.

The King nothing dismayed, called the Noblemen that were in the Army together, and spake cheerfully unto them, saying, *That they had a great deal of advantage of their enemies, the better cause, and the King on their part. Neither oaths nor subscriptions, said he, can assure these men, and if benefits or good deeds could have made them loyal and obedient, I have not been sparing to them all. Now that I am drawn against my will by their open Rebellion to use force, I do assure my self of your fidelity, and that you will not forsake me. I shall desire you stand no longer then ye see me stand, and howbeit, I do not think they dare set their faces against me, yet I shall pray you to dispose all things in the best order you can.*

His Majesties  
speech to the  
Noblemen in  
his Army.

This speech he delivered with such a grace, as thereby the Noblemen, and others that stood by, were greatly encouraged, every one avowing to do their uttermost for his Majesties honour. But a question falling between the Lord *Hamilton* and the Earl of *Angus* for leading the Vant-guard, was like to have caused some trouble; *Angus* claiming the place by the priviledges granted to his predecessors; and the Lord *Hamilton* alledging, that none ought to contend with him in honour, because of his proximity to the Royal blood: but the King interposing his authority, gave the leading of the Vant-guard for that time to the Lord *Hamilton*, reserving the rights and priviledges of the house of *Angus*, whereunto nothing was done at that time should work any prejudice.

A question for  
leading the  
Vant-guard.

All that night the King did watch himself, and kept his Army on foot. In the morning early he was advertised that the Rebels were dispersed, and gone back: for *Huntley* understanding that the King was resolved to put it to a day, declined the fight, because of the danger that might come to the Kings person; *Crawford* for the same reason seemed not very bent: but *Arroll* insisting to have gone forward, when he saw they would not be moved, parted from them at the bridge of *Dee* in great wrath. The King came the same day to *Aberdene*, and calling the Magistrates, did threaten them sharply for receiving the Rebels into their City. They excused themselves by their weaknesse, and the want of power to resist the great forces: which was admitted, upon promise that they should look better to their town in after times. Whilest the King stayed there, the Noblemen and Barons of the countrey came in and made offer of their service, giving surety not to reset nor intercommune with the Rebels, and to concur with his Majesties Lieutenant, when they should be required.

The Lords  
dissolve their  
forces.

The King go-  
eth to *Aberdene*.

This done the King returned to *Edinburgh*, for he was then about the directing of the Earl of *Marshall* to *Denmark* for the accomplishing of his marriage, and bringing home the Queen; there went with him *Andrew* Lord *Dingwell*, Sir *James Scrymgeour* of *Dudap*, Mr. *John Sheen* Advocate, and Mr. *George Young* Archdeacon of *S. Andrewes*. For defraying the Ambassadors charges, a Subsidy of an hundred thousand pounds was granted by the Councel, according to a warrant given them in the Parliament 1587. whereof the subjects made ready payment: so great was their desire to have the King matched, and the royal succession established in his race.

He returneth  
to *Edinburgh*  
about the be-  
ginning of  
*May*.  
The Earl *Mar-*  
shall goeth to  
*Denmark* to ac-  
complish the  
marriage.  
10. *June*.

The enterprize of the Rebels being in this sort defeated, the Thesaurer was put to liberty, and at his coming to Court did solicit the King in favours of the Earl of *Huntley* and *Crawford*, who forthinking the attempt they had made, did offer to enter their persons in Ward, and submit themselves to the punishment his Majesty should be pleased to impose. The Chancellor made the like intercession for *Bothwell*, but for *Arroll* none did speak. After the King had thought a little of it, he

The Rebels  
offer to submit  
themselves.



An. 1589.

was content they should enter, and present themselves to the Justice; but would give no condition. For this effect the 24. of May was assigned; at the day Mr. *Edward Bruce*, Mr. *William Oliphant*, and Mr. *James Wardlaw*, sitting Judges in the criminal Court by Commission, the three Earls compiered. Of Noblemen and others charged to passe upon their Assise, there were present the Lord *Hamilton*, the Earls of *Angus*, *Morton*, *Atholl*, *Marre*, and *Marshall*, the Lords *Seaton*, *Somervill*, *Dingwell*, and *Cathcart*, the Laids of *Pittarrow*, *Closburn*, *Lagg*, and the Constable of *Dundy*.

Huntley, Crawford, and Bothwell impanelled.

The points of their indictment.

These taking oath as the manner is, the indictment was read, which consisted of seven or eight points, "First, they were charged with practising with Jesuits, seminary Priests, and other strangers against Religion, receiving of Spanish gold, and hiring souldiers therewith to disturb the quiet of the Realm. 2. That they had entered in bond and confederacy with the Earls of *Arroll*, *Montrosse*, and others contrary to the Lawes, kept Conventicles, and treasonably surprised the Town of *Perth*, of purpose to have fortified the same against his Majesty. 3. That they had conspired to take the King prisoner at *Halyrudhouse*, and kill his servants, and Counsellours, especially Sir *Iohn Maitland* of *Thirlstane* Chancellor. 4. That they had besieged the house of *Kirkhill*, put fire to the same, and forced the Master of *Glamis* Thesaurer to render himself captive. 5. That they had convocated the subjects by open Proclamation, and given out that the King was detained prisoner against his will. 6. That they came with displayed banners to the Bridge of *Dee*, of mind to invade the King, whom they knew to be upon an expedition to the North parts. 7. That they had taken the Kings Herauld at Arms in the City of *Aberdene*, spoyled him of his Coat, and Letters, when he was about to proclaim them. The 8. and last, concerned *Bothwell* particularly, who besides the rest, was charged to have hired souldiers, as well strangers, as men within the countrey, entertaining them in *Dalkeith*, and threatning to invade the town of *Leth*, at his Majesties being in the North.

The Lords found guilty, and committed to several Wards.

*Bothwell* confessing that he had waged souldiers, and entered in bonds with other Noblemen, did therefore put himself in his Majesties will, the rest of the points he denied, remitting himself to the trial of his Peers. *Crawford* confessed that he was in the fields at the taking of *Kirkhill*, and with the Earl of *Huntley* in *Aberdene*, but denied the other points; *Huntley* come in will for the whole. The Assise removing by themselves, found *Bothwell* guilty of the enterprize at the quarrel holes, besides that which he confessed. They filed *Crawford* of surprising the Town of *Perth*, and coming in Arms to the Bridge of *Dee*; *Huntley* by his own confession was found guilty in all. The sentence upon the Kings Warrant was suspended, and they committed to divers places: *Bothwell* in *Tantallon*, *Crawford* in *Blacknesse*, and *Huntley* in the Castle of *Edinburgh*.

An Assembly of the Church at Edinburgh.

In June following, the Assembly of the Church convened at *Edinburgh*, where the King giving his presence, after he had spoken a little of his good affection towards the Church; shewed that he was come to desire Mr. *Patrick Galloway* to be appointed one of his Ministers: the Assembly by the mouth of their Moderator, rendering his Majesty humble thanks for the beginnings he had made in suppressing the enemies of Religion, did intreat him to prosecute the businesse, and made offer of their humble service and assistance to the uttermost of their power. As to that which he desired, they acknowledged that his Majesty might command any Minister wheresoever he served, to attend himself and his Court; and so ordained Mr. *Patrick Galloway* to leave his charge at *Perth*, and wait upon the King.

The Bishop of S. Andrews deprived for the marriage of Huntley.

It was a good beginning, and this gave no small content to all well disposed men. But things continued not long in that case, for before that meeting took an end, a fresh offence was given. The year preceding, the King having contracted his Cousen the Duke of *Lennox* his sister to the Earl of *Huntley*, had caused the Bishop of *S. Andrews* celebrate the marriage, at which the Ministers of *Edinburgh* taking exception, they complained of the same, in a preceding Assembly, and had obtained a Commission to the Presbytery for calling and censuring the Bishop according to the Acts of the Church. Whether the Bishop would not acknowledge them



them for Judges, or that he esteemed his Majesties command a Warrant sufficient for what he had done; whilst as he neglected their proceedings, they pronounce him deprived from all office and function in the Church; and presenting the proceſſe in this assembly, the same was found formal, the sentence ratified, and ordained to be published in all the churches of the Kingdome, only to make the Bishop hateful, and contemptible. He complaineth to the King, who shewed himself extremely displeased with their doings; but what course he should take he was doubtful, for every day he was expecting the arrival of his Queen, and loved to have all things quiet, and settled at her coming, especially in the Church; with whom it grieved him not a little to be still in question: but espying no better way, he resolved in end to dissemble his anger towards them, and to take the imprisoned Lords in favour, lest he should make himself too much businesse. Thereupon he returneth to the North, gives *Arroll* a pardon, putteth *Crawford* to liberty, and fully remits him; *Huntley* and *Bothwell* he freeth from imprisonment, but to hold them in awe, he defers the Declaration of his will concerning them. The Lord *Maxwel*, upon his bond not to practise against Religion, under the pain of an hundred thousand pounds, is likewise dimitted.

An. 1589.

The course taken with the imprisoned Lords.

And in this case stood things when advertisement came that the marriage was accomplished, and the Queen ready to take Sea. All diligence was thereupon used to prepare for her reception, and nothing left undone that was required for so great a solemnity. But a second and unlookt for message cometh shortly after, shewing that the Navy appointed for her conduct was driven by a tempest into *Norway*, and that it was thought she should stay in those parts unto the spring. The King taking this impatiently, concludeth with himself to go thither in person; and because he knew many impediments would be made, if his purpose were known, he giveth out that he would send the Chancellor and Justice Clerk to transport her in *Scottish* Vessels, if the *Danes* would not adventure theirs in that season. How soon the ships were prepared for their journey, no man expecting any such matter, he taketh Sea himself, \* leaving direction to the Council for the government of affaires during his absence, with the following Declaration written all with his own hand, but not seen to any till he was gone.

Advertisement to the King of the marriage with the Queen.

The King intendeth a journey to *Norway*.

\* 22. October.

In respect I know that the motion of my voyage will be at this time diversly scanned, and misinterpreting may be made as well to my dishonour, as to the blame of innocents; I have thought fit to leave this Declaration, for resolving all good subjects, first of the causes that moved me to undertake this voyage, then in the fashion in which I resolved to make the same. As to the causes, I have been generally blamed by all men for deferring my marriage so long, being alone, without Father, Mother, Brother or Sister; and yet a King not only of this Realm, but heir apparent of another. This my nakedness made me weak, and mine enemies strong; for one man is no man as they speak, and where there is no hope of succession, it breeds contempt, and disdain; yea the delay I have used hath begot in many a suspicion of impotency in me, as if I were a barren stock; These and other reasons moved me to hasten my marriage, from which I could yet have longer abstained, if the weal of my countrey could have permitted. I am not known to be rash in my weightiest affairs, neither am I so carried with passion as not to give place to reason; but the treaty being perfected, and the Queen on her journey, when I was advertised of her stay by contrary windes, and that it was not like she should perfect her voyage this year, I resolved to make it on my part possible, which was impossible on hers.

He leaveth a Declaration under his hand.

The place where I first took this resolution was in *Craigmillar*, none of my Council being present; and as I took it by my self, so I bethought me of a way to follow the same. And first I advised to employ the Earl of *Bothwell* in the voyage, in regard he is Admiral; but his preparations took so long a time, that I was forced to call the Council, and send for the Chancellor and Justice Clerk, who were then in *Lawder*. When as they met, they found so many difficulties in sending forth a number of ships for the Queens convoy (for so I gave it out) and who should be the Ambassadors, that I was compelled to avouch, if none should be found to go, I should go my self alone in a ship: adding that if men had been as willing as became them, I would not have needed to have been in these straits: This the Chancellor taking to touch him (for he knew he had been slandered all that time for impeding my marriage)



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marriage) partly out of zeal to my service, and partly fearing that I should make good my word, if no better way could be found, made offer to go himselfe in that service. This I embraced, keeping my intention from all men, because I thought it enough for me to put my foot in a ship when all things were ready, and from the Chancellor himself, (from whom I never kept any of my weightiest businesses) for two reasons. First, because if I had made him of my Councel in that purpose, he had been blamed for putting the same in my head, (which had not been his duty) for it becomes no subject to give his Prince advice in such matters; withall considering, what hatred and envy he sustained unjustly for leading me by the nose as it were to all his appetites, as though I were an unreasonable creature, or a child that could do nothing of my self, I thought pity to heap mo unjust slanders on his head. The other reason was, that I perceived it was for staying my journey, that he made offer to go; so was I assured if he had known my purpose, he would either have stayed himself at home, or thinking it too heavy a burthen for him to undertake my convoy, he would have lingered so long, as there should not have been a possibility for making the voyage. This I thought meet to declare, (and upon my honour it is the truth) lest I should be esteemed an imprudent Ass, that can do nothing of my self, and to save the innocency of that man from unjust reproaches. For my part, besides that which I have said, the shortness of the way, the surty of the passage, being clear of all sands, forelands, and such other perils; safe harbours in these parts, and no forain fleets resorting in these Seas; it is my pleasure that no man grudge at this my proceeding, but that all conform themselves to the directions I have given to be followed unto my return, which shall be within 20. dayes, wind and weather serving; and if any shall contravene these, I will take it as a sufficient proof, that he bears me no good will in his heart; as to the contrary I will respect all that reverence my Com-mandements, in the best sort I may. Farewell.

Directions to  
the Councel.

This Declaration written and signed with his Majesties own hand, was the next day after he was shipped, presented to the Councel by *Alexander Hay* Clerk of Register, together with the directions mentioned in the end thereof, which were thus conceived.

Seeing it hath pleased Almighty God to bring us to mans age, and that nothing hath been more earnestly wished by all our good subjects, then to see us honourably matched, so that the Crown might descend to our own succession after so many worthy progenitors; we to satisfy their desires, having resolved upon a personage, that for blood and other commodities of alliance, could not be thought but most worthy; did enter into contract with *Frederick King of Denmark* lately deceased, and by advice of our Councel directed our Ambassador to solemnize the marriage, and conduct her unto this Realm: But having intelligence, that by contrarious windes she and her company was driven to *Norway*, and that it being remitted to her choice, whether she would return unto *Denmark*, or make stay there untill the opening of the spring, she had embraced the last condition, as the best and most liking to her desire: Albeit hitherto we have not behaved our self dissolutely, but patiently attended the good occasion that God should offer; yet now taking to heart her pains and danger, with the difficulties that have occurred in her transport, we could find no contentment, till that we enterprised to make a voyage towards her, and bring her home, which we are in good hope to do, within the space of 20. dayes, wind and weather serving.

Yet fearing the time of my stay may be longer at Gods good pleasure, lest any looseness during our absence should fall into the government, we have of our own motion, and not counselled by any, left a Declaration with the Clerk of Register, and willed no man to grudge at our absence. seeing in former times the Kingdom hath wanted a Governour longer, then we trust in God, it shall want us; as namely from the death of our Grandmother the *Queen Regent*, unto the arrival of our dearest mother from *France*, the space of 14. moneths, during which time, for the reverence and love carried unto her, albeit a woman and minor in years, no violence was committed by any person, and greater peace and quietnesse observed then was before, or since that time known to have been kept. And notwithstanding our expectation is nothing lesse, of the good behaviour of our subjects in this our absence, we have taken order for the better government of the publick affairs, that our privy Councell should reside at *Edinburgh*, and ordained the *Duke of Lennox* our Nephew to be President thereof, and to be assisted by our Cousen *Francis Earl of Bothwel*, whom we appoint to attend him, with the other officers of State, namely the *Treasurer*,  
Comptroller



*Comptroller, Master of requests, Privy Seal, the Captain of the Castle of Edinburgh, Advocate and Clerk of Register, who shall ever be present, five of them at least with our said Nephew.* An. 1589.

We have likewise given order, that some Noblemen in their courses shall attend at Edinburgh the space of 15. dayes; the Earls of Angus and Athol, with the Lords Fleming, and Innermeth to begin; and the next course to be kept by the Earls of Marre and Morton, with the Lords Seaton, and Yester. The Barons of Lothian, Fife, Strive-ling-shire, and Strathern, we appoint to attend as they shall be warned, and directed by the Councel. For the South parts, we have made the Lord Hamilton our Lieutenant, that is, within the three Wardenries and Sheriffdom of Lanrick, and to be assisted, when need is, by the Lords Boyd, Hereis, Maxwell, Home, Cesford, and other chief Barons within the Marches; his residence to be at Dumfreis, or Jedburgh, and his charges to be furnished out of the readiest of the Taxation by Mr. John Colvill Collector thereof. And that peace and quietnesse may be the better observed, we discharge all Conventions for any cause whatsoever unto our return. Finally, we require the Ministers, and Preachers of the Word, to exhort the people to peace and obedience, and commend us and our journey in their prayers to the protection of Almighty God. As this is our desire, so we expect that all our good subjects will follow the same, especially they who have tried our favour of late, and that they will persist in the loyalty promised by them: certifying those that do in the contrary, that they shall incurre our high displeasure, and be punished with all rigour; as on the other part, we shall remember the peaceable and obedient thankfully, when occasion presents.

By another Missive presented at the same time to the Councel, the Earl Bothwel was declared second to the Duke of Lennox, Sir Robert Melvil Vicechancellor, Alexander Hay Secretary for the Scottish language, and Mr. James Elphinston for the Latin and French.

The King having thus provided for the publick affairs, took with him in company Sir. John Maitland Chancellor, Sir Lewis Ballenden, Justice Clerk, Mr. Robert Douglas, Provost of Lincolnden, the Gentlemen of his Chamber, and other ordinary officers of the house. He took also with him Mr. David Lindesay Minister at Leth, leaving Mr. Patrick Galloway his ordinary Preacher to attend the Councel; and having a prosperous wind, arrived safely in a Sound or Haven of Norway (not farre from Upslo where the Queen remained) the fourth or fifth day after his embarking.

The Sunday following he solemnized the Marriage in his own person, Mr. David Lindesay performing the ceremony in the French language. After which, consultation being taken for his return unto Scotland, because it was held dangerous to go to Sea in that season, and that the Counsellors of Denmark did oppose the journey, advising him rather to visit the Queens mother, and her son Christiern elected King of Denmark, he was easily induced to follow their advice, and send back the Scottish ships with Mr. James, Sir Krymgeour, and Mr. John Skein. Whilest the King lay at Upslo, the Earl Marshall in Councel made report of his proceedings in the Ambassage, and how according to the contract past, and interchangeably sealed and signed, the Marriage was compleated, and a form of Attestation taken touching the Isles of Orkney, bearing, that the King and Regents of Denmark should supersede all claim of right to the said Isles unto the Kings perfect age, reserving to each Kingdome their own Right, which by that treaty should not be prejudged; as the Copy thereof subscribed by the four Governours, presently exhibited did shew; together with the attestation, he produced the form of an oath given by him and his associates, for his Majesties performing of all things promised on his part, concerning the Marriage; and was in all and every one of these, found to have done good service, and have carried himself honourably according to his Commission.

Soon after this came certain Ambassadors from Denmark to invite the King thither, who parting from Upslo with his Queen the 22. of December, came to Bahouse, (a Castle standing in the Borders of Norway and Sweden) the first of January. There he remained seven dayes, attending a safe conduct from the King of Sweden, which Captain William Murray was employed to bring from Stockholme, where

The marriage  
solemnized at  
Upslo.

The Earl of  
Marshall's pro-  
ceedings rat-  
fied.

The Kings  
journey from  
Norway to  
Denmark.



An. 1590.

where that King kept his residence. The conduct brought, he removed from *Bahouse* the eighth of *January*, and was met by a Captain of *Sweden* upon the River then frozen, with 400. horsemen, and by the space of two *Dutch* miles, conveyed unto the land of *Denmark*. The next day he went to the Castle of *weribury*, where he remained five days, and from thence journeying by *Falkenburgh* the Town of *Holmestade*, and Castle of *Cowholm*, he came to *Elsingburgh* where he was stayed some three days from crossing the Ferry by tempest of weather; and on the 21. of *January* was received at *Crownenburgh* Castle, by the Queen-Mother, the young King, the Duke of *Holstat* his brother, and the four Regents of the Realm, with all magnificence possible. There he remained to the end of *February* royally entertained; and because he was to stay upon the marriage of his Queens eldest sister, with the Duke of *Brunswick* which was appointed in *April* next, he directed home *William Shaw* Master of *Worke* to advertise the Council of the reason of his stay, and to cause some ships, and expert Pilots be sent with all diligence, for his more safe convoy. The Council upon this advertisement employed Collonel *William Stewart*, with six well furnished ships together, and with him Mr. *Patrick Galloway* the Kings Minister was sent to further his Majesties return. They arriving at *Elsingore* about the middest of *April*, in the very time that *Brunswicks* marriage was solemnizing, did signify to the King the longing that the subjects had for his return, and the peace that had been observed since his going from *Scotland*. For all that while (which considering the feuds of the countrey was strange) two riots only did happen, one committed by *Archibald wachop* of *Nudry* a wicked and insolent man; another by the *Clangregore* in *Bachudder*. It rejoiced the King to hear that the subjects had been so quiet, as he did likewise accompt it a great happinesse, that in his own company there had no quarrels fallen out, either amongst themselves, or with the strangers; whereas it is hard for men in drink at which they were continually kept, long to agree. A little strife at his first coming to *Upslo* arose betwixt the Chancellor and Earl *Marshall* for priority of place, the Earl thinking it due to him because of the honour he had in the espousal of the Queen; and the Chancellor excepting, that his Ambassage ceased in regard of the Kings presence, and that the same precedency belonged to him by vertue of his office in those parts, being with the King, that he had at home. But this was pacified without any noise by the Kings determination, who declared the place to belong to the Chancellor.

Colonel Stewart sent with ships to the King.  
*Penult. Martii.*

An. 1590.

The King and Queen return to *Scotland*.

*Brunswicks* Marriage and solemnity thereof finished, the King conveyed with many great ships, took journey homewards, and arrived with his Queen at *Leith* the 20. of *May*, where he was received with a wonderful joy, and a great concourse of people. After his landing, he went first to Church, and caused publick thanks to be given to God for his safe and happy return; then after to the Noblemen and Council he gave many thanks for the care they had taken in administration of affairs, and the quietnesse they had maintained in the countrey. The Earl of *Bothwell* besides the rest, was received with a most gracious countenance, for that contrary to all mens expectation he had carried himself orderly all that time. And he indeed soon after the Kings departing (whether to purchase the opinion of a reformed man, or that, as he pretended, remorse of conscience did move him) in a conference with *James Gibson* Minister, who was then privately returned from *England*, did offer for removing the many scandals he had given by his dissolutenesse, to acknowledge publicly his offence, and make any satisfaction the Church should enjoin; which also he performed, appearing (as he was appointed) in the Church where Mr. *Robert Bruce* did ordinarily preach, and making confession of his sinnes, promised to live more regularly, and not to give offence thereafter to good Christians. But it was not long after the Kings return, that falling to his wonted forms, he became more disordered then ever, and there through procuring the Kings displeasure, wrought his own undoing, as we shall hear.

*Bothwell* his satisfaction to the Church.

A difference among the Clergy for anointing the Queen.

The next day after the Kings arrival, the Council assembled to advise upon the Queens Coronation. The King determining to have it done in most solemn manner, because none of the Bishops were present, nor could conveniently be brought against the day, made choice of Mr. *Robert Bruce* to perform the ceremony.



mony. The Ministers that were in town being therewith acquainted, some of the number more curious then wise, did except against the ceremony of *Unction*, saying, that *it was Jewish, and abolished at the coming of Christ, introduced into Christian Kingdoms by the Pope, and not to be used*. The chief of this opposition was one Mr. *John Davison*, an idle and turbulent man, who as then had no charge in the Church, but had gained some credit with certain foolish people, that would be thought more holy and zealous then other. Mr. *Andrew Melvil* sided with him at first, reasoning for the same opinion. It was shewed them, *That the ceremony could not be Jewish, seeing it never had the beginning from the Jewes, nor was it used by that people only. That the anointing of Kings was mentioned in the book of Judges, which albeit uttered in a parable, did shew that it was a custom received in creating of Kings. And that it was practised in other Kingdomes, besides that of Judea, was a thing manifest, for Hasael King of Aram, was anointed by Elias, and Cyrus King of Persia, is called by Esay Gods anointed: Both these were strangers to the Law and people of the Jewes, yet were they anointed; wherefore the ceremony could not be Jewish.* Then where they said that this rite was introduced by the Pope of Rome; as that could not be made out, so no reasonable man would think that every rite used amongst Papists was to be rejected; for in that case we should be forced to remove many things that are both of good institution and use. Seeing therefore the function and authority of Princes continueth the same, and is alike in all free Monarchies, their anointing could no more be excepted against, then their crowning, and the bearing of the Sword, and Scepter before them, which have all the like warrant. Thus they were reasoned with, but nothing could remove their scruples: which the King hearing, he called them before him, and finding them obstinate in their opinions, told them, "*That he would not have the right of Unction omitted, and if Mr. Robert Bruce would not do it (for they had threatned him with Church censures) he would prorogue the day of Coronation, and stay till one of the Bishops came who would not refuse.*" Upon this they fell to a second deliberation, and Mr. *Andrew Melvil* altogether misliking that a Bishop should be employed in the action, divided from the others, so that by the plurality of voices, in end it was concluded that the ceremony should be used. Thus the Sunday following the Queen was solemnly crowned, and all the rites accustomed, performed by Mr. *Robert Bruce* in the Abbey Church of *Halyrudhouse*.

An 1590.

The ceremony of Unction not Jewish.

The Queens Coronation at Halyrudhouse.

On Tuesday thereafter, she made her triumphant entry into the Town of *Edinburgh*, where nothing was omitted that might serve to expresse the love and affection of the people. The rest of the moneth, and much of the next was spent in banquets and royall shewes, for the entertaining of the strangers. These finished, and order taken for administration of the rents assigned to the Queen, the strangers were dimitted, and had rich presents given them both from the King and Queen.

The Queens entry into Edinburgh.

How soon they were gone, the King upon information that the Ministers of *Edinburgh* and *Dalkeith*, had permitted *James Gibson* to preach in their Churches, notwithstanding he was silenced by the general Assembly, caused cite them before the Council. They answered, *That his silencing, as they took it, was only to the time of his appearance before the Assembly, and that he was purged of contumacy*; But the Act being produced, and hearing that he was silenced during the pleasure of the Assembly, which as yet was not declared, they confessed their oversight, and promised that he should not have place amongst them till his Majesty was satisfied. The King constructing their answer to the best, gave order to summon *Gibson* for his contempt, and he not appearing, was denounced Rebell.

The Ministers challenged for permitting James Gibson to preach.

At the same time there was a marriage treated betwixt the Earl of *Arrol* and a daughter of the Earl of *Morton*, at which the King took exception, and did inhibit the same, as not liking that he who had so lately rebelled, and was not yet reconciled to the Church, should be strengthened by such an alliance; Notthelesse the marriage went on, for which the Earl of *Morton* being called before the Council, answered, that he could not restrain the affection of his daughter, and was forced to give way unto it. The Council finding him to have failed in his duty, did remit his censure to the King himself, who as he was a Prince most tractable, did passe it, upon the Earl his submission.

The King offended with the alliance of Morton with Arrol.



An. 1590.

An Assembly  
of the Church.The King  
Commended  
to the Assem-  
bly the remo-  
ving of the  
deadly feuds.A trouble be-  
twixt the Earl  
of Huntley and  
the Earl of  
Murray.

In the moneth of *June* the Assembly of the Church convened at *Edinburgh*, which the King did honour with his presence; Mr. *Patrick Galloway* elected to preside in name of the Church, did put up three Petitions to his Majesty: “ *One* for “ establishing the Churches jurisdiction, and the abolishing of all Acts made to the “ contrary. *Another* for purging the country of Jesuits, seminary Priests, and excom- “ municate persons, trafficking against Religion. The *third* was for providing a com- “ petent maintenance to Ministers, forth of the tithes of the Parishes where they “ served, and applying what was above, to the sustentation of Schooles, maintain- “ ing of the poor, repairing of the fabrick of Churches, and other the like necessary “ uses. To the first his Majesty answered, *That in all Parliaments the first Act that was concluded, did concern the liberty of the Church, which he should have care to see observed as in times passed.* For the second he said, *that it was known what pains he had taken therein before his journey to Denmark, and that he would do what lawfully could be done, for purging the countrey of Papists.* And touching the third, because many were interessed therein, he did advise them *to make choice of the most discreet of their num- ber to meet with such of the Councel, as he should appoint, for conferring upon the readiest means to effectuate that which they desired.* Thereafter his Majesty falling to speak of the barbarous feuds which were entertained in the Realm, and the many odious murders there through committed, *did seriously commend to them (as those who should of all others most study to make peace) the removing of such barbarities, so farre as in them lay, wishing them in their Sermons to strike on that point, and make people understand how sinful it was, and how shamefull to the whole Nation; as likewise to employ the most wise amongst them for reconciling the variances that abounded in the countrey. For my self, said he, I will employ all the power I have that way, and if you shall apply your selves in your places to do the like, my work shall be the more easie, and have the better succeſſe.* This was greatly applauded of all; and indeed after that time he took such pains, partly calling those that were at variance, before the Councel, and causing them submit their quarrels; partly making strict lawes against the troublers of the common peace, as he never ceased till he got the feuds wholly abolished.

Yet this was not wrought but after some time, and with much difficulty, new troubles daily arising in sundry parts of the countrey. In the North a dissension brake out betwixt the Earls of *Huntley* and *Murray*, that kept those parts a long time in trouble, the occasion whereof was this: *John Gordon* son to *Thomas Gordon* of *Cluny*, having married the widow of *Grant* of *Ballendallagh*, it happeneth in a private quarrel, one of *Gordons* servants to be killed by the Tutor of the house: *Gordon* pursuing him before the Justice, for not appearing he was denounced Rebel, and Commission given to the Earl of *Huntley* as Sheriffe of the countrey to apprehend him. The Earl making search for him cometh to the house of *Ballendallagh*, and after some resistance taketh it by force, but findeth not the Tutor. This the family of the *Grants* interpreting to be done in their disgrace, they betook themselves to the patrociny of the Earl of *Murray*, and with them the *Clanchatton*, and divers of the name of *Dumbarre* did joyn. *Huntley* offending that any in those parts should make head against him, and having understood that the Earls of *Atholl* and *Murray* were to meet these *Glamis* in *Forres*, for making up a confederacy; did assemble his friends, and went thither to dissolve the meeting, but before his coming they had severed, and the Earl of *Murray* was returned to his house of *Tarnway*, *Huntley* taking that way home, and some of his company riding about the house in manner of a Bravado, they within discharging some Musquets upon them, it happened the same *Gordon* that married the widow, to be killed; To be revenged of this affront, *Huntley* gathered forces to invade the Earl of *Murray*, and he assisted by the Earl of *Athol* his Cousen, prepareth to defend. The convocations were great on either side, whereof the King receiving advertisement, charges were directed to command *Atholl* home, and inhibit *Huntley* from coming by West the River of *Spey*, and *Murray* not to come on the East of *Findorne*; this course did restrain them for a time, but gave not an end to those troubles.

A little after this fell out the slaughter of *William Ker* of *Ancram* a Gentleman of great sufficiency, who was killed in *Edinburgh* under night, by Sir *Robert Ker* apparant



parant of *Cesfourd*; There had been a long and old emulation betwixt the two families of *Cesfourd* and *Farnherst* for the Wardenry of the middle Marches, and the Provostry of *Fedburgh*. But *Farnherst* being then deceased, and the heir left young; this Gentleman as descended of the house, did what he could to maintain the reputation of it, which was an eyesore to the other. It happened also some little time before, this Gentleman in the trial of goods stolne from *England*, to find out the committer of the theft, and when the same was denied (for the matter was brought before the Councel) to verify the same by clear testimonies, which was taken to be done out of spleen, and to rubbe some infamy upon *Cesfourd*, who was then Warden; for the man accused was one of his followers. This the Lady *Cesfourd* a woman of an haughty spirit, did apprehend so deeply, as she never ceased till she had moved her son being then very young, to bereave the Gentleman of his life. A hateful fact it was, both for the manner in which it was done, and for the losse the countrey received by the Gentlemans death; for he was a man generally well given, wise of great courage, and expert beyond others in the Lawes and Customes of the Borders. The King was highly offended, and was resolved to use exemplary Justice upon the Actor. But he eschewing, and living a fugitive some moneths, was pardoned, upon satisfaction made to the Gentlemans children, as was thought by the Chancellors intercession, who afterwards married him to his Neece, a daughter of *Lethington*.

An. 1591.

Most of this Winter was spent in the discovery and examination of Witches and Sorcerers: Amongst these *Agnes Samson* (commonly called *the wise wife of Keith*) was most remarkable; a woman not of the base and ignorant sort of Witches; but Matron-like, grave, and settled in her answers, which were all to some purpose. In her examination she declared, "That she had a familiar spirit, who upon her call did appear in a visible form, and resolve her of any doubtful matter, especially concerning the life or death of persons lying sick. And being askt what words she used when she called the spirit, she said her words was, *Holla Master*, and that he had learned her so to do. She further confessed, "That the Earl *Bothwell* had moved her to enquire what should become of the King, how long he should reign, and what should happen after his death; and that the spirit having undertaken to make away the King, after he had failed in performing, and was challenged by her, confessed it was not in his power, speaking words she understood not, but as she did take them, the words were, *Il' est homme de dieu*. *Richard Graham* another notorious Sorcerer, being apprehended at the same time, made the like confession of *Bothwell*, which was the cause of his committing in *April* following; for such curiosities are not thought to possess the mindes of those that wish well to their Princes, and hath proved the cause of many mens ruine.

An. 1591.

A forcereffe  
*Agnes Samson*  
apprehended.*Bothwell* com-  
mitted for con-  
sulting with  
witches.

In the end of the year died *John Ereskin* of *Dun* Superintendent of *Angus* and *Mernis*, a man famous for the services performed to his Prince and Countrey, and worthy to be remembred for his travels in the Church, which out of zeal to the truth he undertook, preaching and advancing it by all means. Before the Reformation, his house was to those who in that time were called *Hereticks*, a special place of refuge; afterwards such was the scarcity of Ministers, that he took upon him the charge, and was chosen with the first to have the oversight of the Churches in these North parts, which he governed to his death most wisely, and with great authority, giving no way to the Novations introduced, nor suffering them to take place within the bounds of his charge, whilest he lived. A Baron he was of good rank, wise, learned, liberal, of singular courage, who for divers resemblances may well be said to have been another *Ambrose*: he died the 12. of *March*, in the 82. year of his Age, leaving behind him a numerous posterity, and of himself, and his vertues a memory that shall never be forgotten.

The Laird of  
*Dun* his death.

*Bothwell* had not staid above a moneth in Ward, when seducing his keeper, he made an escape, and thereby increased the suspicion of his guiltineffe; whereupon the King gave order to pronounce the doom of forfeiture against him, according to the conviction passed in *May*, 1589. and causing denounce him Traitor did inhibit by Proclamation all the subjects to intercommune or keep intelligence with him.

*Bothwell* break-  
eth his Ward.

And



An. 1591.

The doom of  
forfeiture pro-  
nounced  
against him.

His Majesties  
Declaration  
concerning  
*Bothwell*.

*Bothwell* lay-  
eth the blame  
of his rebellion  
upon the  
Chancellor.

A contest be-  
tween the  
Church and  
Lords of  
Session.

Mr *John Gra-*  
*ham* questioned  
by the Church.

And lest the proceeding should have been thought too rigorous, it was declared in the Proclamation, "that he being tender in blood to his Majesty, and advanced  
" by him to sundry honours and offices, had out of his ungodly and unnatural hu-  
" mour, after divers slaughters committed by him, and overseen, taken Armes  
" against the King, and practised with strangers for subversion of Religion, and  
" endangering his Majesties Crown, whereof being convicted in a Justice Court  
" holden in *Edinburgh* the 24. of May 1589. the doom and sentence was superseded  
" in hope of his amendment. And that notwithstanding all these favours, he con-  
" tinued in his wicked course; and heaping treason upon treason, had now at last  
" consulted with Witches and Negromancers, for bereaving his Majesty of his  
" life, (as was manifest by the confession of some that had already suffered, and  
" others yet alive who were shortly to be executed) and for the same being com-  
" mitted in the Castle of *Edinburgh*, he had broken Ward, and thereby taken the  
" crime upon him, whereupon the doom which at that time was delayed, being now  
" pronounced, his Majesty did will all his subjects to acknowledge him for no  
" other but a Rebel and Traitor.

*Bothwell* taking the course of all Rebels, which is to turn their malice against some about the King, laid the blame of all upon the Chancellor, and drew together some companies of men, as intending to be revenged of him. With him the Lord *Hume* and divers others did joyn, but to little purpose; for *Hume* upon better advice forsook him, and submitted himself to the King; and others following his example, used their best means to obtain pardon, so as *Bothwell* was compelled to flee into *England*, with some few that went with him.

In the Assembly of the Church that convened this summer at *Edinburgh*, fell out a great contest betwixt them and the Lords of Session, upon this occasion: Mr. *John Graham* one of the Senators had intended in right of his wife an Action of removing against certain fewers of *Halyeards* within the Parish of *Kirkklison*, and to bear out the plea, suborned a Notary in *Striveling*, called *Robert Ramsay*, to give him forth an instrument that made for his purpose. The defendants having offered to improve the instrument, did in the mean time upon a private Warrant obtained from his Majesty, apprehend the Notary, who confessed that the Instrument which he subscribed, was brought formed to him, by *William Graham* brother to Mr. *John*, and that he knew nothing of the businesse; and being pursued criminal-ly, was upon his confession condemned of falshood, and executed to the death. The pursuer, as he was a man bold and impudent, to maintain the truth of the instrument, did intend Action against Mr. *Patrick Simpson*, Minister at *Striveling*, (who had dealt with the Notary to bring him to a confession) alledging that he had seduced the man, and made him deny the instrument. The Minister complaineth to the Assembly, and thereupon Mr. *John Graham* was summoned to answer for the scandal raised upon one of their members. He compeiring, answered, *That he would prove what he had alledged before the Judge competent*. The Assembly replied, *That he must qualifie it before them, otherwise they would censure him as a slanderer*. Hereupon was the Lord *Provant* President, with the Lords of *Culros* and *Barnbarrogh*, two of the Senators, sent to desire the Assembly not to meddle in causes proper to their cognition, especially in the cause depending before them, at the instance of the Lord *Halyeards*, (so they styled him) against Mr. *Patrick Simpson*. The Assembly answered, *That what they did, was no way hurtfull to the priviledges of Session, nor were they minded to meddle in any Civill matter, but in the purging of one of their own members, they might proceed without the prejudice of the Civill judicatory, therefore wished them not to take ill the Churches dealing in the triall of one of their own number*.

The Lords dimitted with this answer, Mr. *John Graham* was called, who excepted against the Judgement, affirming the cause to be *Civil*, and that the judgement thereof belonged to the Lords of Session, *primariò*, in regard the same was depending before them. The Assembly repelling the declinatur, *found themselves Judges in the cause, therefore willed him to say what he could in his own defence, otherwise they would give processe, and minister Justice*. But he taking documents of their



their Interloquutor, and protesting for remedy of law departed. The Lords esteeming this an encroaching upon their privileges, and that upon such grounds all actions that touched any Minister might be drawn from their Judicatory, resolved to send a prohibition to the Assembly and discharge their proceeding; but by the mediation of some well disposed persons, that did not like to have questions of Jurisdiction moved, the business was settled, and both actions ordained to cease. Not the less the instrument was sustained by the Lords and judged to make faith, which turned in end to the pursuers undoing.

An. 1591.

In this Assembly certain Articles were presented subscribed by the Archbishop of S. Andrews, allowing the Presbyterial discipline, and condemning the Government Episcopal; which were afterward imprinted under the title of *M. Patrick Adamsons* recantation. The Bishop lay bedfast at the time, and was fallen into great necessity by his own misgovernment; whereof his Adversaries taking advantage, it was devised, that he should be visited by some of the brethren, and desired to leave a testimony under his hand, of his opinion of matters of discipline; This being moved unto him, he said, *That he did not trouble himself with such thoughts at that time, and had never allowed of any other Bishop in the church, but S. Pauls Bishop, which he would willingly set his hand to.* Upon this his answer were these Articles drawn up and subscribed by him. Whether he knew what was contained in them, or that he was induced thereto by a poor collection they gave him in the time, (for so the report went) or otherwise, it is uncertain; but when it was told him that such a recantation was published in his name, he complained heavily of the wrong that was done him, and committing his cause to God, ended his days in the end of this year. A man he was of great learning, and a most perswasive Preacher, but an ill administrator of the Church Patrimony, which brought him to the misery that is pitiful to think of. Divers works he left, of which some are extant, that shew his learning; but his prelections upon the Epistles to *Timothy*, which were most desired, falling into the hands of his adversaries, were suppressed.

The Archbishop of S. Andrews his recantation.

In the same Assembly a general revocation was made in name of the Church, by *M. Robert Pont*, of all things done in prejudice of the Rents, and Patrimony thereof, either by Ministers that were beneficed, or by others bearing the title of Church-men. This in the opinion of wise men was esteemed to be a good way for pleading restitution, according to the privilege of ancient Laws; but was derided and scoffed at by those that had filled their hands with the spoils of the Church. And folly it was sure to think they could enjoy any benefit by these privileges, having destroyed the estate, and dignity of the Church, by which these privileges should have been preserved.

A revocation made in name of the Church.

Soon after this meeting there happened a great division in the Presbytery of S. Andrews, for planting the Church of *Luchars*. The pretenders were *M. Patrick Weimes* and *M. Robert Wallace*: *M. Andrew Melvill* with some few that followed him, stood for *M. Wallace*, *M. Thomas Buchannan* and the rest for *M. Patrick Weimes*. The matter after a hot contention being put to voyces, *M. Thomas Buchannan* and some 19 or 20 with him gave their suffrages to *M. Weimes*; *M. Andrew* and other six that adhered to him gave their voices to *M. Robert Wallace*. *M. Andrew* taking it impatiently to be thus overswayed, left the place where the Presbytery did meet, and with his six went to the Schools of the new Colledge, and made up another Presbytery. *M. Thomas* and the rest abroad in the place, and according as they had voyced, appointed *Mr. Patrick weimes* on the next Sunday to be received Minister of *Luchars*: *M. Andrew* with his company gave forth the like Ordinance for *M. Robert Wallace*, and thus both were instituted and admitted Ministers to the Church upon one day. The Gentlemen of the parish went likewise in factions, some holding with the one and some with the other, which caused a great scandal. There being none to pacifie the strife, *M. Andrew Lambe* the Minister at *Brunt-Island* was directed from the Synod of *Fife* to entreat some of the Ministers of *Lothian* to take the pains of bringing them to an agreement. For this effect, *M. David Linde say*, *M. Robert Bruce*, and *M. J. Spotswood* were chosen; who coming to S. Andrews in the Moneth of *October*, called the parties before them, to understand the reasons of their dissension. *M. Andrew* did plead for the one party, and *M. Thomas Buchannan*

A Schisme in the Presbytery of S. Andrews.



An. 1591.



nan for the other. It was laid to M. *Andrew* his charge, " That he had made a seces-  
 " sion, forsaken the place of meeting, and the fellowship of his brethren, and with  
 " some six onely that followed him, presumed to overturn the conclusion of the  
 " greater number. His defence was, *That albeit he and his followers had left the place,*  
*yet they could not be judged to have made secesion, by reason the others had given the cause,*  
*and conspired to preferre a person in worth not comparable to him whom they had elected.*  
 As to the number of voices, he said, *quod suffragia essent ponderanda, non numeranda,*  
 that voyces ought not to be numbred, but to be weighed and pondered. Two days  
 they continued reasoning, and in end the mediators finding no other means of  
 their agreement, took course to displace both the yong men, and to appoint a third  
 person for the service of the Church: and for eschewing such contentions thereaf-  
 ter, which were feared because of the heat betwixt M. *Thomas* and M. *Andrew*, they  
 did appoint the Presbytery to be divided in two, a part to sit at *Couper*, and the rest  
 to abide at *S. Andrews*. Thus was that strife pacified, which many held to be omi-  
 nous, and that the government, which in the beginning did break forth into such  
 schismes, could not long continue; for this every man noted, *That of all men, none*  
*could worse endure parity and loved more to command, then they who had introduced it*  
*into the Church.*

*Bothwells at-  
 tempt upon  
 Halyrudhouse.*

But to leave the matters of the Church for a while; when as the King did think  
 that all was quiet, and *Bothwell* so weakned as he could not make any trouble ( for  
*Bacleugh* his son in law was by licence gone into *France*, and all the gentlemen of  
 the South parts, who were of any worth, had given surety to have no meddling with  
 him ) there were found in the Court it self, instruments apt enough to serve his  
 turn. For of the Duke of *Lennox* his retinue some that envied the Chancellors  
 credit with the King, and others whose hopes wholly depended upon the trouble of  
 the State, did by secret messages incite *Bothwell* to enterprize somewhat for himself,  
 offering to bring him within the Kings Palace unperceived, where with a few hands  
 he might make himself master of the King, and all the Court. *Bothwell* is easily  
 drawn to condescend, and the conspiracy so ordered, that he with his followers should  
 under night be let in at a back passage, that lay through the Lord Duke his Stables;  
 and first they should seise upon the Gates, take the keyes from the Porter, and go  
 after that to the Kings Chamber, and make him sure. Within the Palace were di-  
 vers privy to the conspiracy, especially Colonell *William Stewart*, *John Neswith*  
*Chirurgeon* to the King, and *James Dowglas* of *Spot*, who was brought to take part  
 in that enterprize by this occasion: Some days before it happened *George Home* of  
*Spot* his father in law to be killed by certain *Mersemen* of the surname of *Home* and  
*Craw*. Sir *George Home* Nephew to *Spot*, and one of the masters of the Kings Esqui-  
 ry, did charge *James Dowglas* as author, or accessary to the murther, because of a  
 fear he had conceived that his Father in law should by a new right possess his Ne-  
 phew Sir *George* in some part of the lands, to which he had right by his mariage: upon  
 this suspicion three of his servants were apprehended and detained prisoners with-  
 in the Palace, till they should be tryed by torture. The Chancellor, on whom  
*James Dowglas* depended, laboured all he could to free his servants from that ex-  
 traordinary form of trial; but the presumptions being pregnant, the King would  
 have them to be tortured; which when *Spot* understood and saw that the same would  
 not be eschewed, he thrust himself desperately in the action, which but a few hours  
 before was communicated to him by one of the Associates.

*The success  
 of the attempt.*

This fell out happily for the King, and was it, that marred the whole conspiracy;  
 for when *Bothwell* with his company had entred by the way named, and was come  
 to the inner Court of the Palace, *James Dowglas* that minded nothing but the re-  
 lief of his servants, drew a number to break open the doors where they were de-  
 tained, and by the noise thereof, all in the palace were put upon their guard. The  
 King was then at supper, and being told that armed men were in the nether Court,  
 leaving the rooms, wherein he lodged, went up to the Tower as to a place of grea-  
 ter surety. *Bothwell* having directed some to enclose the Chancellors lodgings lest  
 he should escape, made towards the Queens rooms where he expected to find entry,  
 and perceiving all shut upon him, called to bring fire. But ere they could find any,

*Sir James*



Sir *James Sandilands*, one of his Majesties chamber who had supped without the palace, with a number of the people of *Edinburgh*, entring by the Church of *Halirud-house*, did beat him and his company from the doors, and was in possibility to have taken them all, if there had been any lights; but those being all extinguished, *Bothwell* with the principals of his company made shift in the dark, and escaped, returning by the same way that he entred, in his out-going he was encountred by a Gentleman of the Esquiry, named *John Shaw*, whom he killed with a Pistoll, yet lost some nine of his followers, men of small note, who were executed the next morning.

The enterprize thus defeated, *Bothwell* went into the North, looking to be supplied by the Earl of *Murray* his Cousen germane: which the King suspecting, *Andrew Lord Ochiltry* was sent to bring *Murray* unto the South of purpose to work a reconcilment betwixt him and *Huntly*. But a rumour being raised in the mean while that the Earl of *Murray* was seen in the Palace with *Bothwell* on the night of the enterprize, the same was entertained by *Huntly*, (who waited then at Court) to make him suspected of the King, and prevailed so far, as he did purchase a Commission to apprehend and bring *Murray* to his triall. The Nobleman not fearing that any such course should be used, was come to *Dunbar* a house situated on the north side of *Forth* and belonging to his mother the Lady *Downe*, *Huntly* being advertised of his coming, and how he lay there secure, accompanied onely with the Sheriffe of *Murray* and a few of his own retinue, went thither and beset the house, requiring him to render. The Earl of *Murray* refusing to put himself in the hands of his enemy, after some defence made, wherein the Sheriffe was killed, fire was set to the house, and they within forced by the violence of the smoak and flame to come forth. The Earl stayed a great space after the rest, and the night falling down, ventured among his Enemies, and breaking through the midst of them did so farre out-run them all as they supposed he was escaped, yet searching him among the rocks, he was discovered by the tip of his head-peece which had taken fire before he left the house, and unmercifully slain. The report went that *Huntlies* friends fearing he should disclaim the fact (for he desired rather to have taken him alive) made him light from his horse, and give some stroaks to the dead corps. This done, *Gordon* of *Buckie* was dispatched to advertise the King what had happened, and *Huntly* himself took journey Northwards, in such hast as he left Captain *Gordon* his Cousen, that was lying on the ground wounded, behinde him. This Captain was brought the next day to *Edinburgh* and publickly executed.

An. 1591.  
The Earl of  
Murray slain at  
Dunbar,  
7 Feb. 1592.

The death of the Nobleman was universally lamented, and the clamours of the people so great, especially against the Chancellor upon whom all the blame was laid; that the King not esteeming it safe to abide at *Edinburgh*, removed with the Council to *Glasgow*, where he remained untill *Huntly* did enter himself in Ward in *Blackness*, as he was charged. But he stayed not there many dayes, being dimitted upon Caution to answer before the Justice whensoever he should be called. The corps of the Earl and Sheriffe of *Murray* were brought to the Church of *Leth* in two coffines, and there lay diverse Moneths unburied, their friends refusing to commit their bodies to the earth till the slaughter was punished. Nor did any man think himself so much interested in that fact, as the Lord *Ochiltry*, who had perswaded the Earl of *Murray* to come south, whereupon he fell afterwards away to *Bothwell*, and joyned with him for revenge of the Murther.

The murther  
universally ill  
taken.

The Parliament which had been now twice prorogated, did keep in the moneth of *June*. In behalf of the Church it was there petitioned, "1. That the Acts of Parliament made in the year 1584. against the Discipline of the Church and liberty thereof, should be abrogated and annulled, and a ratification granted of the discipline whereof they were then in practise. 2. That the Act of annexation should be repealed, and restitution made of the Churches Patrimony. 3. That the Abbots, Priors, and other Prelates bearing the titles of Churchmen and giving voice for the Church without any power and Commission from the Church, should not be admitted in time coming to give voice in Parliament, or convene in their name. And 4. That a solid order might be taken for purging the

The Lord  
Ochiltrie maketh  
defection  
to Bothwell.

An. 1592.  
Petitions in behalf of the  
Church.



An. 1592.

“ Realm of idolatry and blood wherewith it was miserably polluted. The second and third Petitions rejected, consultation taken about the other two, and satisfying the last, it was condescended, *That saying of Masse, receiving of Jesuits, Seminary Priests, and trafficking Papists against the Kings Majesty, and Religion presently professed; should be a just cause to infer the pain and crime of treason against Jesuites, Mass Priests, trafficking Papists, and their ressetters: with a provision, That if the Jesuits and seminary Priests did satisfy the Prince and the Church, the foresaid penalty should not strick upon the ressetters; which in effect was no restraint, neither was the trafficking against Religion declared to be a crime of Treason, unless the same was proved a trafficking likewise against the King. So in this point the Church received small satisfaction. As to the complaint of blood, the same was remitted to the ordinary course of Justice.*

The first Petition granted, and in what manner.

But the first Petition was longer debated, the King being unwilling either to abrogate the Acts of the 84. or grant the ratification desired of the present discipline: for he foresaw the inconvenients that would grow by the liberty that Ministers should assume to themselves; yet *Bothwells* business, and the many discontentments within the Realm, moved him to give way, lest he should be troubled likewise with their outcries. So the Act passed, but in the most wary terms that could be devised. As for the Statute confirming his Majesties royall power, the abrogation whereof was chiefly sought; it was onely declared, *That the said Statute should be no wayes prejudiciall, nor derogatory to the priviledge that God hath given to the spirituall office-bearer in the Church, concerning heads of Religion, matters of Hereſe, Excommunication, collation or deprivation of Ministers, or any such essentiall censures grounded, and having warrant of the Word of God.*

*Bothwells* attempt at Falkland.

Upon the end of the Parliament the King went to *Falkland*, where *Bothwell* made a new attempt, encouraged thereunto by the Earls of *Angus* and *Arroll*, the Master of *Gray*, Colonell *Stewart*, and the Lairds of *Johnston* and *Balwery*, who did all promise their concurrence in bringing him unto the Kings presence. The Master of *Gray* and *Balwery* did meet him with a good number of horse, *Angus* kept the Diet but with a small company, *Arroll* remained with the King within the Palace, and had taken upon him with the assistance of Colonell *Stewart* to open the Gates; but either out of fear, their hearts failing them, or not having a number sufficient to make good their undertaking, nothing was done; yet upon suspicions they were apprehended, and *Arroll* sent to the Castle of *Edinburgh*, and the Colonell to *Blackness*; the company that came with *Bothwell* was not great, and did not exceed six-score in all, broken men for the most part, whom he had taken up in the *English* and *Scottish* borders; with these he had journied 2 dayes and nights, without either meat or sleep, & came to *Falkland* a little before midnight, where finding his expectation disappointed, and those in the Palace provided to defend, he stayed on the side of the hill, till a little after Sun-rising; some of his followers in the mean time breaking open the Queens stables, took away the horses, and what else they could lay hands upon. The night was then at the shortest, for it was the 26. of *June*, and the Countrey gathering from all parts to relieve the King, he was forced to flee: But what way to take he was uncertain, for to pass the Ferrie with his company he could not safely, and to return by the bridge of *Striveling* was a long way, which neither the horses nor their riders after so long watching could indure, yet seeing no better then to be gone, with the haste he could make, about nine of the clock he caused sound the trumpets, and retired.

*Arroll* and Colonell *Stewart* committed.

*Bothwell* and his company flyeth.

The King pursueth and cometh to *Edinburgh*.

*Nid*, taken by the Lord *Hamilton* and dimitted by his Lady.

The King after the Countrey people were come followed by the Queens Ferry, thinking he had gone that way, but finding that he had taken his course by *Striveling*, and knowing that the company would separate how soon they had passed the bridge, he directed most of his followers to apprehend such as they could overtake. Divers were taken in the Moors of *Calder* and *Carrmath*, but suffered to escape by their takers: many horses were found straying in the fields, the riders being overcome with sleep and fallen from them. Amongst others, *Archibald Wachop* of *Nudry*, and some 7. or 8. with him, whilst they lay sleeping in a meadow nigh to *Cambusnetham*, were taken by the Lord *Hamilton*, and sent to be kept in the Castle of



of *Draffan*, but his Lady the day after, out of a womanly-commiseration whilest her Lord was absent, suffered them to depart. *Bothwell* himself fled unto the West borders, and from thence into *England*. An. 1592

The badness of this attempt put the borders in a great fear, for many of them, especially of the *Johnstons* had followed him in that journey: yet so great was the Kings clemency, as being at *Dumfries*, whither he went in the beginning of *July*, a generall pardon was proclaimed to all that would submit themselves; whereupon numbers did enter, and were received in favour. *Bothwell* thus forsaken almost of all, did notwithstanding in the Court again find some that out of emulation, and private rancour, more then for any affection they carried unto him, wrought the King new troubles.

*Alexander Lindesay* Lord *Spinie*, a great favourite in that time, out of the malice he bare to the Master of *Glamis* Thesaurer, whom he knew *Bothwell* also hated, did secretly practise to bring him into the Kings presence, and make his reconciliation. This coming to the knowledge of Colonel *Stewart*, who was still detained in *Blackness*, to procure his own liberty, and recover the Kings favour, he signified the same to the King by Sir *James Sandelands*, who as then was keeper of the house, and being brought before the Councell at *Dalkeith* stood to the declaration, affirming, that the Lord *Spinie* had resset *Bothwell* in his Ladies house at *Aberdowrie*; which he offered to prove by witnesses, circumstances and other clear demonstrations. These were his words. *Spinie* denying all, appealed the Colonell to combat, which the King would not permit, assigning the 12 of *September* for his triall before the Justice. *Spinie* appearing at the day, the Colonell excused himself by the shortness of the time, and had a new diet assigned him, at which his probation failing, *Spinie* was restored to his honour, dignity and service, yet did he never recover his former credit with the King, but was held still suspected, and whether offending at this, or that the first declaration was true in it self, the year following he took open part with *Bothwell*, and was therefore denounced Rebel.

At the same time *John Weymis* younger of *Logie*, Gentleman of his Majesties Chamber, and in great favour both with the King and Queen, was discovered to have the like dealing with *Bothwell*, and being committed to the keeping of the Guard, escaped by the policy of one of the *Dutch* Maids, with whom he entertained a secret love. The Gentlewoman, named mistress *Margaret Twinlace*, coming one night whilest the King and Queen were in bed, to his keepers, shewed that the King called for the prisoner to ask of him some question; the keepers suspecting nothing; for they knew her to be the principall Maid in the Chamber, conveyed him to the door of the Bed-chamber, and making a stay without as they were commanded, the Gentlewoman did let him down at a window by a cord that she had prepared. The keepers waiting upon his return stayed there till the morning, and then found themselves deceived. This with the manner of the escape, ministred great occasion of laughter, and not many dayes after the King being pacified by the Queens means, he was pardoned, and took to wife the Gentlewoman, who had in this sort hazarded her credit for his safety. These dealings at Court increased not a little the boldness of others in the Countrey, so as some of all ranks, both Barons, Gentlemen and Burgeses, became followers of *Bothwell*, and feared not to entertain him openly. All *Teviotdale* ran after him; whereupon the King made an expedition to *Edinburgh* 12. *October*, and finding some of his ressetters tooke bonds of them for their better behaviour.

At his return he found new vexations by a faction made at Court against the Chancellour, whereof the heads were, the Duke of *Lennox*, the Earls of *Argile* and *Morton*, the master of *Glamis* and Lord *Home*; with these the Earls of *Angus* and *Arroll*, who were released from their wards by the Queens intercession, did afterwards joyn. That which gave the occasion, was a claim made by the Queen of the Lordship of *Mussylburgh*, as being a part of *Dumfermelin*, which she desired the Chancellour to resign, for he had acquired an heritable right thereof, at the making the act of Annexation. The Chancellour excusing himself, and in effect denying to satisfy her desire, she grew offended, and drew in these Noblemen to oppose him;

Pardon granted to those that would forsake *Bothwell*.

The Lord *Spinie* delated for practising with the Lord *Bothwell*.

*John Weymis* of *Logie* committed for his practises with *Bothwell* escaped.

A faction made against the Chancellour.



An. 1592.

whereupon he withdrew himself from Court, and remained in *Niasdale* the rest of that year.

Troubles in the North betwixt *Huntley* and the *Clanbattan*.

In the North there was likewise great unquietness, for the *Clanbattans* conducted by *Angus Williamston*, to revenge the Earl of *Murrayes* death, made great spoil upon the Earl of *Huntlies* lands in *Strathspey*, and *Glemmuck*, killing divers, and amongst others an honest aged man called *Gordon of Barcklay*, against whom they could pretend no quarrell: *Huntly* to be revenged of this wrong made an incursion upon the lands of *Pettie*, which the *Clanbattan* did then possess, exercising great cruelty, and understanding that *William Malcolmso* was at the same time spoyling the lands of *Colerick* encountred him at the head of *Staplegate* hill, where after a short conflict some threescore of the *Clanbattans* were killed, a few onely falling on his side. Shortly after in another expedition upon the same lands having drawn together a number of High-landers from *Lochabar*, *Badenoch*, and *Strathdawn*, he wasted, burnt and spoyled all that Countrey, killing a great many people.

The Earl of *Angus* employed in a Commission to the North in November.

The King to pacifie these troubles, directed the Earl of *Angus* with a Commission of Lieutenandry unto the North, where he wrought so much as the publick incursions of both sides did cease, and in this time was Mr. *George Ker*, brother to the Lord *Newbole*, intercepted as he lay at the Isle of *Cumray*, intending a journey towards *Spain*; with him were deprehended divers missive letters and blanks signed by the Earls of *Angus*, *Huntly* and *Arroll*, and by Sir *Patrick Gordon of Aghendown*. Mr. *Andrew Knox* then Minister of *Pasley*, who was afterwards made Bishop of the Isles, upon some discovery made to him, did interprise his taking, and making him to be conveyed with a strong guard, delivered him to the Provost of the City, the King being then in *Alloway* at the *Christmasse* with the Earl of *Marre*, who but a few payes before had married the Duke of *Lennox* his sister. Advertisement made of his apprehension, and of the letters deprehended with him, the King made haste to return. The night before his coming was the Earl of *Angus* returned from the North, and not having heard any thing of Mr. *George Kers* taking, went as he was accustomed to his lodging in *Edinburgh*, but was presently arrested by the Provost and Baylives, and sent prisoner to the Castle. The King esteeming this too great a presumption in them, to have used a Nobleman and Counsellour lately returned from such a publick employment, without warrant in that manner, was not a little offended; yet because of the hainous accusations laid against him, their forwardness was excused, and his imprisonment allowed for good service by Act of Councill.

The Earl of *Angus* imprisoned in the Castle.

Mr. *George Ker* his Confession

Mr. *George Ker* at his examination did ingenuously confesse all that he knew of the businesse, the summe whereof was as followeth. That upon a letter sent from Mr. *William Creichton the Jesuit*, then residing in Spain, and assurance given of the King of Spains aid for the alteration of Religion, Mr. *James Gordon*, and Mr. *Robert Abercrombie Jesuits*, had devised to send one to Spain, to certifie the King of the concurrence of the Scottish Catholicks in his service, and that for the greater secrecy, the three forenamed Earls should undertake for the rest, and by their letters testifie the same. That this being proponed to the Noblemen, they did willingly consent, and accordingly set their hands to eight blanks, six whereof were to be filled, as missives from them to the King of Spain, and the two other with procurations, one for the messengers credit, the other for the Articles, that should be drawn up in Spain; That the filling of the blanks was trusted to Mr. *William Chreichton*, and Mr. *James Tyrie*, and that Sir *James Chisholm*, one of the Kings Master households was first chosen to be carrier of the blanks, but that he being impeded through some private businesse, they were delivered to him. subscribed in the moneth of October, he being then in *Edinburgh*. He further declared, that by conference at the same time with the Earls of *Angus* and *Arroll*, he understood that the King of Spain was to send an Army of thirty thousand men into Scotland, whereof 15000. should remain in the Countrey, and with the assistance of the Catholicks either alter the present Religion, or procure liberty to their own profession: and that the rest of the army should invade England, being conveyed thither by the Catholick Lords who were to meet the Army at their landing, which was appointed to be either at *Kirkudbright* in *Galloway*, or in the mouth of *Cluydo*. This was the summe of his confession.

The



The Earl of *Angus* charged with these points denied, affirming the blanks and subscriptions to be counterfeited. But *David Graham* of *Fintry*, who was apprehended upon suspicion at the same time, declared that Mr. *Robert Abercrombie* had revealed the purpose to him, and shewed that the blanks were trusted to Master *George Ker*.

An. 1592.

The Earl of *Angus* denieth the blanks.

This so manifest a discovery of Popish plots tending not onely to the overthrow of Religion, but also of the Realm, which by this treasonable practise should have been reduced to a miserable slavery, did animate the King much against the Jesuits, whereupon he published his resolution to spare none that should try guilty of the Treason, but make them an example to all posterities, requiring in most serious manner all his good Subjects to beware of these Jesuits, traitors to their native Countrey, and in their prayers to implore the mercy of God for preservation of themselves, their wives and children from the conspiracy intended. The Ministers of *Edinburgh* esteeming it their duty to make the Churches of the Countrey foreseen of the conspiracy that was detected, gave notice thereof by their letters to such as were most nigh at hand, desiring them to meet at *Edinburgh* the 8. of *January* for giving their advice touching these dangers, and how the same might best be prevented.

The Kings resolution published for punishing that conspiracy.

The meeting was frequent, for the report of the discovery drew many thither. Mr. *Robert Bruce* in a short speech having related the perill wherein the Countrey and Church were brought by these practises, it was thought meet by some Commissioners to entreat of his Majesty the execution of the lawes against Jesuits, and their ressetters, with the punishment of such as should be found guilty of the present conspiracy. The King accepting graciously those that were sent unto him, and giving the whole Assembly thanks for the readinesse they shewed to assist him in the prosecution of that triall, wished them to consider of what importance the businesse was, and not onely to give their advice for the course that should be taken, but also to let him know what help they would contribute for strengthening him in his proceeding against the unnaturall Subjects.

A Meeting of the Ministry.

The King his desire proposed to the Meeting.

His Majesties desire being reported to the Meeting their advice was, that a Parliament should be indicted and the subscribers of the blanks cited thereto, and because it was not expected that they would appear, so as his Majesty should be compelled to pursue them by force of Armes; they did humbly offer their attendance upon his Majesties person, till they should be apprehended or expelled the Countrey; as likewise to entertain a guard to his Majesty of three hundred horsemen, and an hundred foot, so long as any necessity was, and till the laws of the Countrey had taken effect against the rebels; providing it should not be drawn into a custome, nor prejudice the liberty of the Realm in time coming. The offer was thankfully accepted, and a Proclamation made to meet the King at *Aberdene* the 20 of *February*, for settling the North parts; and for a beginning of Justice *David Graham* of *Fintrie* was arraigned, and being found guilty, beheaded in the publick street of *Edinburgh* the 16. of *February*.

An offer made by the Meeting.

*Fintry* beheaded.

Some two dayes before his execution, Mr. *John Graham* one of the Senators of the Colledge of Justice, being charged (because of the businesse he made in behalf of *Fintrie*) to depart forth of the Town, and keep ward in *Strathern*, was killed as he was going to the tide at *Leith*. There had been a question long depending betwixt Sir *James Sanderlands* and him, for the lands of *Halyards*, and by reason thereof a professed enmity amongst them; and it falling out at the same time, when he was going to *Leith*, that the Duke of *Lennox* accompanied with Sir *James*, and divers others, was making towards their sport in the sands, Mr. *John Graham* apprehending that they did pursue him, made a turn upon that ascent, which is without the gate of the town, as if he would stand there to his defence, which S. *James* taking for a sort of provocation, he made towards him, and entering in conflict, Sir *Alexander Stewart*, a grave Gentleman, servant to the Duke of *Lennox*, was killed by the shot of a pistoll, presently after M. *John Graham* by another shot was stricken in the breast and fell to the ground, they who did give him the convoy, seeing him fall, did all flie, and the companies separating, he was led to a poor Cottage, near unto the place, and as he lay in bed, killed by the said Sir *Alexander* his Page, in revenge of his Masters death.

A man



An. 1593.

The disposition and qualities of Mr. John Graham.

A man he was, but meanly born and descended of that unhappy race, which had an hand in the murder of King *James* the first: a long time he served as Deputy to the Earl of *Argyle* in the Justice Courts, and after his death waited on Captain *James Stewart*, by whose means he was preferred to be one of the Senatours of the Colledge of Justice in the place of Mr. *Robert Pont*: of a quick wit, and a good and ready utterance, but was excessively proud, covetous and dishonest in his dealings, as appeared in suborning of the Notary of whom we spake, and the fraud which he used to Mr. *Andrew Polwart* subdean of *Glasgow*, a man of great learning, who being forced to fly into *England* in the year 1584. with the other Ministers that took their refuge thither, had intrusted him with his living and rent, upon assurance to be repossessed when the time should change, yet being returned and having obtained his peace, could he never bring him to fulfill his promise; whereupon after a long plea at law, not finding an outgate, the honest man conceived a displeasure and died.

The Earl of *Angus* escape

The Earl of *Angus* the same day that he was killed made an escape out of the Castle of *Edinburgh* by the connivence of the keepers, and flying to the North, joyned with *Huntley* and *Arroll*. They upon the report of the Kings coming to *Aberdene*, left their houses, and betook themselves to the mountains, sending their Ladies to intercede for them, and make offer of the keyes of their houses which they had been charged to render.

The houses of the rebels rendered.

*Atholl* and *Marshall* made Lieutenants of the North.

The King receiving the Ladies courteously, told them that if their husbands would enter and abide triall, they should receive no wrong, otherwise the crime laid to their charge, did so highly touch the Estate, as he could not stay the course of Justice. In the mean time for preserving the Countrey in peace, the Earl of *Atholl* was made Lieutenant within the bounds of *Elgin*, *Forres*, *Narne*, *Inverness*, and *Cromartie*; and the like Commission given to the Earl of *Marshall* of the Sherifdoms of *Kincardin*, *Bamfse* and *Aberdene*.

\* 26. March  
An. 1593.

A message from the Queen of *England*.

This done the King returned to *Edinburgh*, \* where the Lord *Burgh* did meet him. He was sent from the Queen of *England* to congratulate the discoveries of these treacherous practices, and make offer of her assistance, in pursuing and punishing those that should trie culpable, wherein she wished him to doe as a King ought in such a case, and if he could not apprehend their persons, to confiscate their lands and rents, whereby he should undoe them, and better the Estate of his Crown. And seeing the cause was common and touched all Princes professing the same Religion, she desired to be certified what his resolution was, that she might assure other Princes her confederates of the course taken in both their dominions for resisting the attempts of *Spain*. The King thanking the Queen for her friendly offer and advice, said, That he knew Sir *Robert Bowes* her resident Ambassadour had advertised her of the whole particulars, and of the blanks and letters intercepted: that he had made a beginning, and was fully resolved to prosecute the same with all rigour against those that he should trie culpable; but willed her to consider how dangerous it was for him to have so many great men his Rebels, and what a businesse it would be, to hunt them out of those holes, and desert places where they lurked; That he would stand in need of her help and supply, which he doubted not to finde, it being more dangerous for her estate to have the Spaniard set foot in his Kingdome, then either in *France*, or the Low-Countries, both which she had liberally helped and supplied with men and moneys. But what particular supply he would crave, his own Ambassadour whom he minded to send speedily should declare. This was the effect of the conference kept with the Lord *Burgh* at his first hearing.

The Ambassadour intercedeth for Bothwell.

At the next audience the Ambassadour falling again upon the same purpose, said, That her Majesty did wish the King to fortifie himself with a wise, sound and well affected Councill, that might help to discover such wicked practices, and repress them when they were detected; and then casting in somewhat of the punishment, that the Queen had taken of those that had given Bothwell countenance in *England*; he wished the King to consider what course was best to be held with him in so troublesome a time; and if it were not for his Majesties quiet (having so many rebels) to receive him upon his submission in favour.

The King passing that which he had told of the punishing of Bothwells reflecters, albeit



albeit he knew no such thing was done; answered, *That if the Queen did either respect his countenance, or her own honour, she would be so far from giving him refuge in her Dominions, as he thought certainly she would deliver him according to the tenour of the league standing among them. But for taking him in favour, his offences were unpardonable, and to be abhorred of all sovereign Princes, therefore desired him to shew the Queen his Mistresse, that if he should underst and any resset to be given Bothwell after that time, he could not but joyn with her greatest enemies for his own safety. As for his resolution in persecuting the triall begun, he should have it with him in a Letter of his own hand. This done he was dimitted, Sir Robert Bowes residing still as Legier.*

An. 1592.

Midst of April.

In the end of April there was an Assembly kept at Dundy, wherein his Majesty directed Sir James Melvill of Halhill, with certain Articles, in the first whereof he declared, *That he would not suffer the priviledge and honour of his Crown to be diminished, and Assemblies to be made when and where they pleased. Therefore willed them before the dissolution of the present Assembly, to send two or three of their number, by whom they should know his mind touching the time and place of their next meeting.*

An Assembly of the Church at Dundie.

By the second it was desired, *That an Act should be made inhibiting Ministers to declame in Pulpit against the proceedings of his Majesty & Council, under pain of deprivation, both in regard of his Majesties good intentions known to themselves for maintaining Religion and Justice, and for the easie accessse that divers of the Ministry had unto him, by whom they might signifie their complaints and grievances if any they had.*

Articles sent by his Majesty to the Church.

Thirdly, *In regard of Mr. Craigs decrepit age, his Majesty desired to have five or sixe nominated to him by the Assembly, that he might chuse some two of them to serve in his house.*

Fourthly, *Seeing the standing of Religion, and safety of his person were so straightly conjoyned, as they that were enemies to the one, could not be friends to the other, that some of every Presbytery should be appointed to inform and advertise his Majesty of the practises of the Papists and the ressetters of Bothwell; whose whole courses tended to the subversion of Religion, no lesse then the indangering of his Majesties person.*

And fifthly, *That they should appoint some of their number to cause the Magistrates of Burghes, where there are any Sea-ports, try those that came into the Countrey, or passed forth of the same, to delate their names, that the plots and practises against Religion might be better discovered.*

These Articles, especially the first two, favouring of discontent, were answered generally by the Assembly: concerning their Meetings, they said, that they should follow the Act of Parliament made the year preceding: and for the declaiming in Pulpit, an Act was made prohibiting any Minister to utter in Pulpit any rash or irreverent speeches against his Majesty and Council, or their proceedings; and to give their admonitions upon just and necessary causes, and in all fear, love and reverence. Which the King esteeming to be no restraint, but rather to minister an excuse to the unruly sort when they transgressed, then otherwise, rejected as not satisfying his demand; whereupon the Petitions of the Church proponed against Papists at the same time, and against the erections of Tithes in Temporalities, were not much regarded.

The Assemblys Answer.

In this Assembly it was enacted, *That none professing Religion within the Church of Scotland, should from thenceforth repair to any of the King of Spains Dominions, where the tyranny of Inquisition was used, for traffick of Merchandise, or other the like negotiations, till the King did obtain liberty from the King of Spain to his Subjects for traffick in these bounds, without any danger of their person or goods for the cause of Religion, under the pain of Excommunication.*

The Merchants offending hereat, did petition his Majesty and Council for maintaining their liberty of traffick; which was granted. Notwithstanding whereof the Ministers proceeded in their censures, till the Merchants made offer to surcease their trade with Spain, how soon their accompts were made, and they payed by their creditors in those parts.

But the abolishing of the Mondayes Mercat in Edinburgh, though assented unto by the Council of the Town, and past in an Act, took not the like effect; for the shoemakers who were most interessed in that businesse, hearing that the same was

A change of the Mondayes Mercat urged at Edinburgh.



An. 1593.

to be put in execution tumultuously gathering themselves together, come to the Ministers houses, menacing to chase them forth of the town, if they did urge that matter any more; after which the motion ceased, the Mercat continuing as before. This did minister great occasions of sport at that time in Court, where it was said, *That rascalls and sowlars could obtain at the Ministers bands, what the King could not in matters more reasonable.*

Sir Robert Melvil sent into England.

In the beginning of June, Sir Robert Melvil was sent in Ambassage to England; his Commission was to signify what had been done in the prosecution of the Authors, and contrivers of the last practises since the Lord Burgh his return, and to require some aid and assistance for inabling the King to follow that businesse to an end; and particularly he was desired to crave a supply in money for levying 100. Souldiers, and entertaining them some moneths, till the service was finished, and the Rebels either apprehended, or forced to quit the Realm; withall he was appointed to renew the former complaints of Bothwel his resset and entertainment in the borders of England, and to crave his delivery according to the league. But while he was pressing that businesse in England, Bothwel surpris'd the King at home, and for a while made all these purposes to sleep, so as he returned without effecting any thing.

The King surpris'd by Bothwell.

The occasion and manner of the surpris'e was this. The Chancellour who had all that year been absent from Court, upon a discontent the Queen conceived against him, had sent to the King a Letter " requesting his licence to depart forth of the " Countrey, since he could not with safety attend his service; for that to remain at " home, and live deprived of his Majesties presence, he said was to him a very hell, " which he could hardly indure; promising to return at such time, as his Majesty should find convenient to recall him to his service.

The manner of the surpris'e.

The King did shew the letter to the Queen, because in the same he had protested much of his sincere affection towards her, and being loath to quite him whom he had tried to be so able a servant, moved her to forget all quarrels, so as he would resigne the Lordship of Mufsilbrugh, which had bred this dissension. The resignation made, and the Chancellour being on the point to return to Court, the Duke of Lennox by the advice of Atholl, Ochiltree, and others of the name of Stewart, resolved to prevent his coming by the inbringing of Bothwell. The Parliament had broke up some two dayes before, and the Noblemen resorting to the Palace to take their leave of the King, the Gates were kept patent, and lesse heed taken of those who entred. Atholl with his Lady had lodged all that time in the house, then pertaining to the Earl of Gowry, at the back of the Palace, and kept Bothwell private with Mr. John Colvill, one of his followers. So early in the morning the Lady pretending to bid the King farewell, and making her entry through the Postern Gate, taketh Bothwell and his companion along with her, and bringeth them unperceived of any into the Kings bedchamber; The King was then private in a retiring room, and when he came back, and saw them stand with their sword's in their hands, cried aloud, *Treason, treason*: They falling on their knees called for mercy; *Nay*, said the King, *you have dishonoured me*; and placing himself in his chair, *Strike Traitor*, saith he to Bothwell, *and make an end of thy work, for I desire not to live any longer.* He protesting with many oaths, that he came only to beg pardon, and to put himself in his Majesties will: the King replied, *That mercy extorted by violence, was not mercy, and that it was not the form of supplicants to come with weapons in their hands.* Whilest the King was thus talking, the Earl of Marre, and Sir William Keith entred into the Chamber, and presently after them a number of Bothwells faction, who by this time had possessed the utter Court, and assumed the charge of the Gates.

The Citie in armes.

The report of this accident going to the City the people went to armes, and conducted by Sir Alexander Home their Provost, made towards the Palace to give the King relief; but he was then become somewhat pacified, and following the Earl of Marre his advice, after he had shewed himself from a window to the people, and given them thanks for their readines, he willed them to return to their houses & attend his advertisement. All that day matters were caried fairly in a sort, Bothw. using humble



speeches, and offering himself to trial for the consultation which began his trouble; for his other misdemeanors he desired mercy, excusing himself by the want, and necessity, whereunto he and his friends were driven. But when he perceived the Kings countenance not to be towards him, as he wished, he changed his forms, and letting some words fall that sounded not well, gave divers to suspect that he should attempt some violence. This did set the English Ambassador on work, who being assisted by the Ministers of *Edinburgh*, did after long travell and much perswasion induce the King to set his hand to the Articles following.

An. 1593

1 That remission should be granted to *Bothwell*, his friends and partakers for all attempts against his Majesties person and authority in any time past, and promise made never to call or pursue him and his forefaids for any by-past fact; as likewise to repossess them in their houses, and lands, notwithstanding whatsoever process laid against them.

Conditions granted to *Bothwell* by the Ambassadors mediation

2 That a Parliament should be called in *November* next, and such an Act past in his and their favours as was made at *Linlithgow* Anno 1585 for their greater security.

3 That during that time, the King should not receive in his Company the Chancellor, the Lord *Home*, the Master of *Glamis*, and Sir *George Home* knight.

4 That from henceforth, the Earl *Bothwell*, his friends and followers should be esteemed as good and lawful subjects, and used with much favour as if they had never offended.

These Articles the King did in the word of a Prince promise to perform, and for *Bothwells* greater satisfaction after he had signed the same with his own hand, caused so many of the Councell as were present together with the Magistrates and Ministers of *Edinburgh* subscribe as Witnesses. The subscribers were, the Duke of *Lennox*, the Earl of *Atholl*, the Lords, *Forbes*, *Ochiltry*, *Spiny*, and *Urquhart*, the Master of *Gray*, M. *James Elphinston*, *Mircarny*, the Clerk of Register, *Nicoll Edward*, *Fohn Morison*, *George Fodrick*, and *David Williamson*, Baylives of *Edinburgh*; M. *David Lindefay*, M. *Robert Bruce*, M. *Robert Rollock*, M. *Walter Balcanquell* and M. *Patrick Galloway*, Ministers. For *Bothwell* it was promised that he should leave the Court, and not come towards the King till he was called by his Majesty.

Articles subscribed by the witnesses.

These things were done at *Halirudhouse* the 14 of *August* 1593. some twenty days after the surprize. The next day the King went to *Falkland*, attended by the Duke of *Lennox*, the Lord *Ochiltry*, and *Chreichton* of *Clany* a follower of *Atholl*, who did promise to waite upon the the King unto *November*, and debarre those others that by the Articles were not to be admitted. The rest of the moneth the King stayed at *Falkland*, and in that time *Bothwell* did obtain himself purged by an Affise of practising and consulting with Witches, which had been the original of his mischief.

The King goeth to *Falkland*

In the beginning of *September* the King went to *Striveling*, where he had appointed a Convention to meet for taking order with the broken men of the Highlands and borders; Thither came the Lord *Hamilton*, the Earls of *Marre*, *Morton*, *Glen-carne*, and *Montrose*, with the Lords *Lindefay* and *Levingston*; of the Church estate, the Bishops of *Dunkeld*, and *Aberdene*, the Prior of *Blantyre*, and Abbot of *Lundors*, and divers Commissioners of Burghes. After some speeches concerning the borders and Highlands, and the means to quiet them which was the errand pretended, the King declared, "that he had called them, to that meeting for business that touched him more nigh: and then relating the many indignities he had endured at *Bothwells* hands, which they all knew, he desired to have their advice touching the Conditions granted to him of late, and whether they did think him tyed to the performance thereof, the same being extorted by the importunity of those that took on them to mediate betwixt him and *Bothwell*, and yeelded unto by him upon just fear. The answer of the Convention was, *That they judged the fact of Bothwell Treasonable, and the Conditions granted in such a manner to carry no necessity of performance; that for the remission promised to him, and his followers, the same depended upon his Majesties own pleasure, and that he should doe therein what seemed to him good; but to be tyed not to receive in his company his servants and officers, they held*

A Convention at *Striveling* 7. Sept.

The Estates finde the Conditions given to *Bothwell* dishonorable.



An. 1593.

it not to stand with the honour and dignity of a King. For the remission, said the King, I could be content for the quiet of the Realm, to grant the same upon his humble suite, and supplication, when I am now at liberty, but to be forced thereto and by way of capitulation to grant the same, I do not think it agreeth with mine honour. That which I require of you since I judge the conditions unlawfull, and that neither in law nor conscience I am bound to observe them, is, that by publick Act the same be declared, and that as a free Prince I may presently, and in all time coming, admit and receive into my company, such of the Nobility, Councill, Officers, and other good subjects, as I shall think good to use in the administration of my affairs. All esteeming this to be most reasonable, an Act was made declaring, "That his Majesty with the advice of the Estates, had recalled the grant made to Bothwell in August last, and that being a free Prince he might use the service of any of his subjects and call them to him at his pleasure.

The Prior of  
Blantyre and Sir  
Robert Melvill  
directed to  
Bothwell.

This Declaration made, the Prior of Blantyre and Sir Robert Melvill, were directed to Bothwell to shew him that albeit the King did not think himself bound in law, or honour to perform the Conditions made at Halrudhouse, yet if he should now make humble suit for pardon to himself, and his followers, the same should be granted, with a double Proviso: first that he should supplicate his pardon, and pass the same formally before the 20 of November; secondly, that the remission being exped, he should depart forth of the Realm and abide in such parts beyond Sea, as the King should appoint, and not return into the Countrey without his Majesties licence.

Bothwell falleth  
to his wonted  
forms.

Bothwell at first did take the offer well and seemed therewith content, but when he was returned to Edinburgh (for the intimation was made to him at Linlithgow) and heard that the Lord Home, and those others against whom he took exception, were received in Court, he was greatly commoved, and falling to his wonted forms, threatned to make the King observe the Conditions, and keep what he had promised: To this purpose he advertised the Earl of Atholl, desiring he should meet him at Striveling the first of October with his forces: Atholl kept the Diet, accompanied with the Earl of Montrosse and a great number of men; but the King was parted from Striveling and remained then at Linlithgow, attended by the Lord Hamilton, and divers other noble men, which made Bothwell change his purpose and disappoint the interprise.

Atholl coming  
to Striveling is  
charged to re-  
turn home in  
the beginning  
of October.

The King understanding that Atholl with his forces was come to Striveling, sent a messenger to charge him to return home, and dissolve his companies; which he obeyed, pretending that his business was onely to hold a Court at Down Castle, (a house pertaining to the Earl of Murray whereof he had the Ward) and that the messenger might witness the truth thereof, he took him along with him the next morning to Down. The stay of the messenger put the King in suspicion that the Charge was not obeyed, and that Atholl did wait upon Bothwells coming. Whereupon he went back to Striveling, and understanding that Atholl was gone to Down he followed thither. The Lord Home who was appointed to ride before and view the fields, encountering the Earl of Montrosse, made him prisoner, and used him and his men somewhat roughly. But he professing to be sent by Atholl to the King for making his excuse, and declaring the true cause of his coming in those parts, was dimitted, the next day upon his promise to appear before the Councill whensoever he should be charged. After this the King going to Edinburgh, Bothwell was cited before the Councill; and not appearing, was of new denounced Rebell.

Montrosse taken  
by the Lord  
Home.

Bothwell de-  
nounced Re-  
bell.

The Popish  
Lords excom-  
municated by the  
Synod of Fife.

Leaving these affairs for a while, we will now return to the Popish Lotds. They had been cited to the Parliament which was kept in July preceding, but upon some informalities, and defects in the libell the process was remitted by the Estates to the King and Councill. This being ill interpreted, and taken to be done in their favour, the Ministers of the Synode of Fife meeting at S. Andrews in the beginning of October, did summarily excommunicate the Earls of Angus, Huntley, and Arroll, the Lord Home, and Sir James Chisholme. They sent letters also to all the Presbyteries, desiring their excommunication to be published in all the Churches; and particularly required the ministers of Edinburgh to call a meeting of some principall ministers, and well affected Barons to advise what course was fittest to be taken for the defence of



of Religion and repressing the practises of enemies. The King upon advertisement of these proceedings, called M. Robert Bruce (who was then in great favor) and willed him to stay the publication of sentence, as being unjust, and altogether informal, for that neither were these persons subject to the Synod of Fife, nor were they cited to answer; *And if this be your order, said he, that the Ministers of one Synod may excommunicate, and at their desire all the rest shall make intimation, who can be sure or how shall it be eschewed, but number shall this way be brought in troubles?* M. Robert answering that it was not in his power to stay the publication, the brethren having already concluded the same; and that the Ministers of Fife had their own reasons, and were answerable to the generall Assembly. *well, said the King, I could have no rest, till ye got that which ye call the Discipline of the Church established, now seeing I have found it abused, and that none amongst you hath power to stay such disorderly proceedings, I will think of a mean to help it.*

The intimation in the mean time went on, and according to the motion made for convening some principal Ministers and Barons, there assembled a good number at *Edinburgh* the 17 of *October*. The King was gone then to *Iedburgh*, for pacifying some tumults in the borders, and in his going thither, was met at *Falaw* by the Earls of *Angus*, *Huntley*, and *Arroll*, who humbly intreated a trial, and that they should not be condemned unheard, offering to enter themselves what time, and in what place his Majesty should appoint. There were divers of the Councell with the King at the time, by whose advice they were enjoined to enter their persons in the town of *Perth* the 24 of that moneth, and abide there, till order was taken for their trial. And lest casting of themselves in the Kings way, should be thought to have proceeded upon an intelligence, that the King did keep with them; the Master of *Glamis* and Abbot of *Lundors* were directed to inform the English Ambassador and Ministers of *Edinburgh* of that which had happened, and the answer that the Lords received.

How soon this was known, Commissioners were sent from the Assembly to the King with certain Petitions conceived in this form.

The Commissioners of the Church, Barons, Burgeffes, convened from divers parts of the realm, foreseeing the present danger, wherein the Church of God, the person of the King, and whole Countrey do stand, have thought it their duty to petition his Majesty and propone their advice as followeth.

1 Seeing the Commissioners are informed that the excommunicate Lords, namely the Earls of *Angus*, *Huntley*, and *Arroll* with their complices are to be put to the trial of an Assise, they humbly crave that the trial be not precipitated, and that the Diet assigned, may be prorogated, till such time as the professors of Religion (who are minded to be their accusers, and to pursue them for the treasons they have contrived) may be thoroughly advised with the business, and resolve what is convenient to be done.

2 That according to the laws and customes observed in such crimes those excommunicate and treasonable apostates may be committed to sure custody in the town of *Edinburgh*, *Dundy*, and *Striveling*, or other places that shall be thought expedient, till order be taken with Papists of new faction, they are known to be the heads, and till the estates advice upon the form of their trial.

3 That when the Estates after mature deliberation shall put the foresaid traitors to trial, the Jury be not nominated at the option of the parties accused, but by the party accuser, who are the whole professors of the Gospel.

4 That seeing the aforesaid traitors are excommunicated, and by the just sentence of the Church cut off from the society of Christs body, that they are not admitted to stand in judgement, or have any benefit of law, till they be reconciled to the Church according to the laws of the Countrey, and his Majesties own promise, as likewise in respect they have made themselves guilty, partly through their escape forth of Ward, and partly by playing the fugitives and not appearing neither at *S. Andrews*, to which they were first cited, nor at the time of the last Parliament.

5 Or if his Majesty will not alter the day appointed at *Perth*, as we do not doubt

An. 1593.

The King dealeth with with M Robert Bruce to stay the publication of the sentence

The Popish Lords meeting the King at Falaw desire a triall.

They are commanded to enter themselves in Perth

Petitions of the Church sent to the King at Iedburgh.



An. 1593.

The Confe-  
rence betwixt  
his Majesty  
and the Com-  
missioners of  
the Church.

but after good confideration he will, then we desire that such as profess Religion, may be a guard to his Majesty at the time to defend his person from violence, and to accuse and pursue them to the uttermost, which we are minded to do, although it should be with the loss of all our lives in one day, being fully resolved if they continue enemies to God and his truth, that the Countrey shall not brook them and us together.

The Commissioners coming to *Fedburgh* had presence given them, and having presented the Petitions, the King at the reading of the inscription grew incensed, saying, *That he would not acknowledge any such Convention, nor them for Commissioners, seeing they had assembled themselves without his consent and knowledge.* They answered, that the meeting was warranted by his Majesties Proclamations. A long reasoning was kept upon that point; in end the King condescended to hear them as subjects, and satisfie them with reason in every particular, but to accept of their Commission or return any answer to that meeting he would not. This passed, he said, *That he was not foreseen of the coming of these Earls unto him at Falow, nor had he any intelligence with them; but when they came, and did humbly offer themselves to triall, he could not of his Princely duty refuse it, though they had been the meanest and simplest persons of the land, that he had dismissed them without any promise or the smallest assurance of favor, whereof he had many witnesses; and for the time and place assigned to their triall, the same was done by advice of such of the Councell as were present, but that he had since considered the time to be too short and the town of Perth not so convenient, and therefore had appointed a meeting of the Estates at Linlithgow the last of that moneth, by whose advice he would proceed and doe that which was fitting.* It hath been, said he, the suite of the Ministers to have these Earls brought to their triall, and now when they offer themselves unto it, it is strange there should be such business made for a delay. As for himself, he had resolved what time and place soever were appointed for the triall to have all things rightly done, and that neither the Judges nor Furors, if the matter came to that point, should be other then men indifferent and well affected to Religion.

The Commissioners putting his Majesty in minde of that he had said at the first view of the Blancks and the hearing of M. George Ker his confession, *that the crime was above the reach of his power to pardon, and beseeching him to regard his honour and surety, seeing it was dangerous to permit the Earls to come accompanied with such numbers, as they intended to bring; he said that he could provide for any dangers that way.* And when they did offer, as in the Articles, to come and attend his Majesty as a guard at the time of triall; he answered, *That he would make choice of his own guard, that those whom he called to that Diet should be welcome, and such as came undesired should not be so.*

Then they shew what offence was taken at the Lord Hume his entertainment in Court, who was both excommunicated and known to be a professed enemy to Religion: the King replied, *That a day was given him to satisfie the Church by the Ministers themselves, which was not as yet expired, and if he did not satisfie, that he should remaine no longer at Court.* But said they, he doth not keep promise and is thought to have been a chief instrument in bringing these excommunicates to your Majesties presence. For that, said the King, *I know it not, and if you will accuse him, he can speak for himself.* After these speeches, they humbly besought his Majesty to vouchsafe the Assembly some answer in writing, but he absolutely refused, and so they took their leave.

The assembly  
resolved to  
keep the Diet  
appointed for  
the Lords trial

These answers reported, did no way content the Meeting, whereupon it was resolved that upon advertisement they should all convene in armes at the place which should be assigned for the triall of the Lords, and be their pursuers, to which purpose some was left at *Edinburgh* to make timely warning to the rest. The King being informed of this conclusion at his return to *Edinburgh*, called the speciall Ministers that were in town, and shewed that it was an undutifull part in them to convocate the subjects, and cause them take armes without his warrant; prohibiting any such advertisement to be given as was appointed. They excusing themselves, said, *That it was the cause of God, and in defence thereof they could not be deficient.*

Hereupon



Hereupon a Proclamation was made; " Declaring the course that his Majesty  
 " had taken to try the Conspiracy of the Popish Lords, and how after some pains  
 " taken in that businesse, he had indicted a Parliament in *July* last for that cause, at  
 " which time nothing being done (albeit not in his default) and he impeached a  
 " long time after by the practises of *Bothwell* and other troubles in the Countrey,  
 " was no sooner received forth of his hands then he fell again upon the same  
 " thoughts; and that now he had appointed a Convention of Estates at *Linlith-*  
 " *gow*, for taking their advice touching the surety of his own person, the relief of  
 " the subjects oppression, and the ordering of all that businesse, especially since  
 " the said Lords had by their letters and otherwise most humbly desired a triall,  
 " which he doubted not the Estates would consider and so proceed therein, as  
 " might best serve to the preserving of Religion, and the quietnesse of the  
 " Countrey; his own intention being no other, but to have them satisfie the  
 " Church, or if they refused, to cause them to be expulsed and banished the Coun-  
 " trey. And for that end he had commanded them to remain at *Perth*, and attend  
 " the resolution of the Estates, dissolving their forces if any they had assembled.  
 " Whereof his Majesty did think meet to give all his subjects notice; that they  
 " might know his care for the maintenance of true Religion against all the ene-  
 " mies thereof. And therefore inhibited the subjects to make any Convocations;  
 " or if any were already made by the sinistrous informations of ill disposed peo-  
 " ple, they were commanded to dissolve and turn to their houses till they should  
 " be advertised either by missive Letters or Proclamations, and not otherwise,  
 " under the pains appointed for seditious persons and disturbers of the publick  
 " peace.

An. 1593.

A Proclamati-  
on inhibiting  
all convocati-  
ons.

Notwithstanding of this discharge, there came great companies to *Edinburgh*, and in all parts of the Countrey were people stirring; so that the Convention which was called to meet at the same time being not very frequent kept a short while together. The offers and Petitions of the Popish Lords being onely read, the consideration thereof was remitted to certain chosen by the Estates. These were the Lord *Thirlestane* Chancellour, the Earls *Marshall*, *Marre*, *Montrosse*, and *Roths*, the Lord *Levingston*, Scot of *Balwery*, *John Murray* of *Tullibarden*, *Alexander Bruce* of *Airth*, Mr. *George Lowder* of *Basse*, *William Scot* of *Abbotshall*, Mr. *David Carnagie* of *Colluthie*, Sir *Alexander Hume* of *North-Berwick* Provost of *Edinburgh*, *Clement Core* Bailly, with the Commissioners of the towns of *Dundie*, *Couper*, *Striveling* and *Linlithgow*; to these or any four of every estate, together with his Majesties Officers, power was given to consider the Petitions and offers of the said Lords, to try their accusations, purgations and the truth thereof, and to conclude therein, as they should think most expedient for the surety of Religion, and redressing of disorders within the Realm, ordaining their determination to be as valid and effectuell, as if the same had been concluded in Parliament or Convention. It was likewise ordained that Mr. *Robert Lindeſay*, Mr. *Robert Bruce*, Mr. *Robert Rollock*, Mr. *Patrick Calloway*, and Mr. *James Carmichael* and *John Duncauson* should be admitted to the said conference if they should desire. And that in the absence of any of the Estates nominated, such as were present should appoint others at their pleasure. The Commissioners nominated having convened at *Edinburgh* the 12. of *November*, after many dayes reasoning, grew to this conclusion.

A Convocati-  
on of the E-  
states.Certain of the  
Estates selected  
to judge of the  
Lords offers.

That the King for the publick peace of the Realm, and to remove all troubles and the occasion thereof, after mature deliberation and conference kept with the Ministers, had by the advice of the Commissioners elected by the Estates, declared, and by irrevocable Edict ordained, That the true Religion established in the first year of his Majesties reign, should be onely professed and exercised in all time coming within the Realm, and that none should supply or resset any Jesuits Priests and other adversaries of Religion under the pains contained in the Acts of Parliament.

Conclusion  
taken, touching  
the Popish  
Lords.

That such as have not embraced Religion, or made defection from the same, should conform themselves before the 1 of February next, satisfie the Church, and obey such things as shall be prescribed to them by the King and the Church; or if any of them did



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*think it difficile so to do, for any scruple of Conscience, that they should depart forth of the Realm to such parts beyond Sea, as his Majesty should appoint betwixt and the said day, and not return till they were resolved to imbrace the truth and satisfie the Church, they alwaies and their heirs enjoying their lands and livings, and their procurators being licensed to appear before the ordinary Judges for debating their actions notwithstanding of any processe laid against them.*

*That the Earls of Angus, Huntley and Arroll, the Laird of Achindowne and Sir James Chisholme should be unaccusable of the crimes contained in the summons executed against them by occasion of blanks and letters intercepted, and concerning their trafficking with strangers to the prejudice of Religion, and the said processe extinct for ever, discharging the Justice, Advocate and other Officers present and to come of all calling, and proceeding against them and their heirs therefore in time coming. But in case they have sent, or after this time shall send any pledges forth of the Realm for fulfilling of Conditions tending to the overthrow of Religion, in that case the said abolition should be null, neither should it be further extended, then to the crimes contained in the summons, and no way comprehend any murders, fire-raisinges or other crimes committed by them.*

*That such of the said Earls and others as should resolve to obey his Highnesse Lawes in professing the true Religion, before the 1 of February, should remain in the places and bounds to be appointed for them, and forbear all practising or intelligence with the Jesuits, Priests and other Papists, debarring them from and forth of their company.*

*That they should neither dispute, nor permit disputing at their Tables against the truth, or in favour of Popery, and entertain in their houses a Minister, and be ready to hear conference, and resolve themselves of doubts, that they may be the better prepared to subscribe the Confession of Faith at the day appointed, unlesse it please the Churche to prorogate their subscription for some longer space.*

*That the Earls of Huntley and Arroll should before the 1 of February remove out of their company Mr. James Gordon and Mr. William Ogilvie Jesuits, and find surety under the pain of forty thousand pounds, each of them to abide by their subscriptions, and not to make defection from the Religion: Achindowne and Sir James Chisholme finding the like surety under the pain of ten thousand pounds.*

*That such of them as make choice to leave the Countrey, and will not imbrace the true Religion, should give assurance to forbear all practising with Jesuits and others against Religion and the State when they are abroad, and till their departing keep no intelligence with any of that Sect.*

*That they should declare their choice of the two conditions before the 1 of January to the King and Church, otherwise in case they doe not accept the same in manner, and within the time above specified, they should enjoy no benefit by verue thereof, but should be liable to triall and punishment of Law, as if the same had never been proponed nor offered unto them.*

*That the Church should in the mean time call all suspected persons before them, requiring them to satisfie, and if they be obstinate delate their names to his Majesty and Council, that they may be punished; and that Masters and Landlords be holden to answer for persons so suspected, as for other crimes.*

*These were the conclusions taken in this meeting by the Deputies of the Estates and signed by the King and them, which likewise were to be subscribed by the 3 Earls and their complices in token of their acceptation; what effect the same took, we shall afterwards hear.*

Troubles betwixt the Maxwells and the Johnstons.

In the end of this year, there fell out great troubles in the west marches, some of the surname of *Johnston*, having in the *July* preceding made a great depredation upon the lands of *Sanwhare* and *Drumlanrig*, and killed eighteen persons that followed for rescue of their goods; a Commission was given to the Lord *Maxwell*, then Warden for pursuing the doers with all hostility. Not long before, a great friendship had been contracted betwixt him and the Laird of *Johnston*, and bonds interchanged for assisting one another, which the Lord *Sanwhare*, *Drumlanrig*, and others interessed by the *Johnstons* feared should make him remisse in executing the Commission, yet considering his disposition, and that he loved above all things to be



be followed, they took advice to offer their services so as he would joyn with them for suppressing the power of the *Johnstons*. *Maxwell* thinking this to be a good occasion for bringing all *Niddisdale* to depend upon him, embraced the offer; whereupon a bond was formed, and subscribed by them and these others, with divers of their friendship. This bond being negligently kept, fell into the hands of one *Johnston* of *Commertries* who served the Lord *Maxwell*, and was by him carried to the Laird *Johnston*, who resolving to dissemble his knowledge of the Bond, sent a Gentleman to learn of the Lord *Maxwell* himself, if any such friendship was made up amongst them as was noysed in the Countrey. *Maxwell* at first denied that there was any such thing, but having missed the Bond, and suspecting the same to have fallen into *Johnstons* hands, he excused the matter by the Commission that was sent to him, saying, He must obey the King, and doe as he was directed.

*Johnston* seeing whereto matters would turn, did associate to himself the *Scots* of *Terviotdale*, the *Eliots* and *Grahams* of *Eske*, and hearing that *Maxwell* had levied some companies of horse and foot, and placed the foot company with their Captain called *Oliphant* in *Lochmaben* to attend his coming to *Annandale*, resolved to prevent him and cut them off, and so falling upon them unexpected, killed the Captain and divers of the souldiers. Some fled to the Church thinking to save themselves, but the same being set on fire, they came forth and rendred. *Maxwell* to repair his dishonour, gathered in haste as good as 2000. men, and entred into *Annandale* with displayed banner as the Kings Lieutenant, intending to rase the houses of *Lochwood* and *Lockerby*. *Johnston* not equalling his forces, kept aloof, and after the Border fashion, sent forth some prickers to ride, and make provocation. Against them a number went out of *Maxwells* Army, who encountering with a great company were beaten and chased back to the stall or main host, which by their breaking in was wholly disordered. *Johnston*, that stood in a piece of high ground, beholding the issue of the skirmish, took the advantage of their confusion, and breaking upon them, without any resistance made, put them all to flight.

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*Johnston* prevented the Lord *Maxwell*, and killeth Captain *Oliphant*.

*Maxwell* invaded *Annandale*.

The Lord *Maxwell*, a tall man and heavy in armour, was in the chase overtaken and stricken from his horse. The report went that he called to *Johnston*, and desired to to be taken, as he had some time taken his father, but was unmercifully used, and the hand that he reached forth cut off. But of this I can affirm nothing. There alwayes the Lord *Maxwell* fell, having received many wounds. He was a Nobleman of great spirit, humane, curteous, and more learned then Noblemen commonly are, but aspiring, and ambitious of Rule: his fall was pittied of many, for that he was not known to have done much wrong in his time; and was rather hurtfull to himself then others.

The Lord *Maxwell* killed 6. December.

The King took these news very hardly, that his Warden a Nobleman bearing his authority should be cut off in such a manner; and he kept in such a businesse, what with *Bothwel* on the one hand, and the Popish Lords on the other, as he could not take journey to those parts; it grieved him exceedingly, alwayes for quieting the Countrey, order was taken that the Lord *Hereis*, *Drumlanrig*, *Lagg* and some other Barons should abide at *Dumfreis* with their friends, and be ready upon all occasions to repress whatsoever stirs might arise.

The Lord *Hereis* and Barons of the Countrey appointed to remain at *Dumfreis*.

The 18. of *January* in a convention of Estates called at *Halirudhouse* the Earls of *Angus*, *Huntley* and *Arroll* were declared to have amitted the benefit of the Act of Abolition, because of their misregard of his Majesties favour, and not accepting of the benefit offered, before the day prefixed. The King had used divers means to gain them, and would gladly upon assurance of their good behaviour have winked at crimes past, but all was in vain, the Jesuits prevailing with their counsels, and feeding them still with hopes of forain aid; whereupon charges were directed for entring their persons in ward, till triall was taken of the accusations laid against them. *Angus* was charged to enter in *Blacknesse*, *Huntley* in *Dumbrinton*, and *Arroll* in the Castle of *Edinburgh* and *Achindowne* in *Tentallon*; but none of them gave obedience.

A Convention of the Estates.

The Popish Lords declared to have lost the benefit of Abolition.

Now the time of the Queens lying in drawing near, the King went to *Striveling* where



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The Queen delivered of a son at *Strawling*.  
The Lord *Souche* Ambassadour from England.

where she then abode and remained with her untill she was delivered upon the 19. of February of a sonne, about which time came the Lord *Souche* Ambassadour from the Queen of England, to complain of the King his lenity in proceeding against the Popish Lords: for she had seen the conditions granted them in November, and was highly displeased therewith. But when the Ambassadour understood that they had lost the benefit of that grant in their own default, and that the King had proceeded so farre as to make publick Declaration thereof, he was satisfied, and insisted to have the sentence of forfeiture pronounced against them. This not proceeding with such haste as he desired, he fell to treat secretly with *Bothwell*, who was making new stirrs, and had drawn numbers of all sorts to follow him; yea with some specialls of the Ministry he found such credit, as both in their publick Sermons, and otherwise by their private dealings, they did incourage people to joyn with them; and which did most offence the King, sent one Mr. *Andrew Hunter* a Minister to be his Preacher and attend him as a Chaplain; nor did their folly, or madnesse rather, subsist here, but even the moneys which had been collected in the Churches for the supply of *Geneva*, which was then in trouble, and deposed in the hands of Mr. *James Melvill* Minister of *Anstruther*, were given to *Robert Melvill* and *George Strong*, two Captains, for leavying Souldiers to assist him. *Bothwell* was then gathering new forces, and had appointed with the Earls of *Argile* and *Atholl* to meet at *Leith*, for the banishing of the Popish Lords, and revenge of the Earle of *Murray* his slaughter (that was the pretext) and with them did the English Ambassadour keep intelligence.

Mr. *Andrew Hunter* Minister waiteth upon *Bothwell* as his Chaplain.

*Bothwell* prepareth of new to invade the King.

The Ambassadors dealing with *Bothwell* discovered.

This being discovered to the King, one of his servants, who had been spied in *Bothwells* company, was committed in the Castle of *Edinburgh*. Being examined, he confessed, that by direction of his Master he had spoken with *Bothwell*, and Mr. *John Colvill*, and that he believed they had some enterprise in hand, but what it was he knew not. The King perceiving by his Confession, that the Ambassadour had a secret dealing with *Bothwell*, was greatly offended; yet because he would not seem to infringe the priviledges of Ambassadors, after he had checkt him with some sharp words, he dimitted his servant, and the Ambassadour departed, the King not vouchsafing him a farewell.

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The Roade of *Leith*.  
The King Commanded the people to Arm.

*Bothwell* in the mean time with the forces that he had gathered in the Borders, being about 400 horsemen, or thereby, advanced and came to *Leith* the 2. of April at 3 of the clock in the morning. The King remained at the time in *Edinburgh*, not well accompanied, yet hearing that *Bothwell* was come so nigh he commanded the Citizens and those that were with him to arm. He himself going to Church, made a speech at the end of the Sermon to the people, for the removing the suspicions conceived of his favouring the Popish Lords: and recounting *Bothwells* treacherous attempts, desired them to remember that he was their King, to whom they owed all fidelity, and to consider in what case they themselves should be, if *Bothwell* with his Borderers, men given to theft and robbery, should get the upper hand. The hearers moved with his speeches, shewed great forwardnesse, and went incontinent to armes. The Lord *Hume* was commanded to take the fields, and lead the horsemen that were in town; The King stayed with the foot, and before them marched the Canon, which was brought forth of the Castle, and making directly towards *Leith*.

*Bothwell* removeth from *Leith*

How soon *Bothwell* understood that the Kings forces were marching, considering he could not equall them in number, he removed from *Leith*, and dividing his men in three troops, took the way by *Restalrig* towards *Dalkeith*. The Lord *Hume* with the horsemen followed to observe what course he held, and the King with the foot removing to the other side of the town made his stand in the field, called the *Borrow moore*. *Hume* with his company being advanced so far as *Muddry edge*, *Bothwell* turned upon him, and being far superiour in horsemen, gave him the chase, which they that stood by the King perceiving, advised him to return into the town, but he refusing to stir, answered, *That he would never quit the fields to a Traytor*: yet the danger was great, and in the opinion of many, if *Bothwell* had taken his course directly to the King, and not pursued the chase so hotly, he might have

The Conflict betwixt *Bothwell* and *Hume*.



have carried the day ; but in following, it happened his horse to stumble and fall to the ground, and he bruised with the fall was forced to retire. That night he went to *Dalkeith*, and on the morrow dissolved all his troops, which when *Atboll* heard, he also went back into his Countrey. The *Fiffe* Captains with their soldiers arriving at *Leith* about midnight, when they understood how things had passed turned faile, and went sundry ways.

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This purpose so defeated, the King sent the Lord *Colvill* and *M. Edward Bruce* to the Queen of *England* to complain of the misdemeanor of her Ambassador, and the resset that *Bothwell* found in her kingdome : In his letter to the Queen using a round plainness, he said, *That although it had pleased her to commend the Ambassador she had employed, for a wise, religious and honest man ; yet he had in his opinion been fitter to carry the message of an Herald, then a friendly Commission betwixt two neighbour Princes. That he had seen nothing in him but pride, and wilfulness, and that therefore denying to give him any answer, he chused to send the same by his own messengers ; whom he desired her to credit as himself in all that they had in charge to deliver.* For *Bothwell*, he said, *That he wondred how notwithstanding of the many solemn promises made as well by her Ambassadors, as by letters of her own hand, that he should have no harbor within her Countrey, yet was he not only resset by her people, but suffered to reside in some of her proper houses, and had received a good summe of English monie, wherewith he waged both Scots and English in this late treacherous attempt. To think this was by her direction or privily he would not, so farre it was against all princely honour ; on the other part, that she being so wise, and prudent a Prince, and having so long, and so happily governed her kingdoms, should be so slighted and contemned by a number of her subjects, as that such things should be done without her knowledge, it could hardly be believed ; wherefore leaving it to her self to solve these doubts, he would onely remember her of the promise made at the delivery of *Ororick* an Irish rebell, and desire her not to put him in ballance with such a traiterous counterpoise, lest he should be constrained to say with the Poet, *Flectere si nequeo superos, &c.**

The Lord Colvill and Mr. Edward Bruce directed to England. The Kings letter to the Queen of England.

This was the substance of the letter, the credit committed to them was to assure the Queen, “ That seeing the Popish Lords had not imbraced the conditions “ offered, he should prosecute the Lawes against them, proscribē their persons and “ confiscate their lands ; and to crave of her, as one whom that cause equally touch- “ ed, a supply of moneys, till either they were expulsed the Realm, or their per- “ sons apprehended and presented to justice.

The Commission given to the Ambassadors.

The Queen excusing the oversight given to *Bothwell* by the slow pursuit of the Popish Lords, and the favour shewed to them, promised that from thenceforth he should find no more resset in her Countrey ; and for pursuing the Popish Earls, the King should lack no supply that was in her power to give. With this answer did *Mr. Edward Bruce* return, for the Lord *Colvill* went from that into *France* to congratulate the victorious and happy successe of the *French* King against those of the League, and invite him to assist the Baptisme of the Prince, which was to be in *July* next.

The Queen of Englands answer. The Queen discharge Bothwell his resset in England.

The Queen of *England* immediately upon the Ambassadors return, by a Proclamation in all the Borders did inhibit the resset and harbouring of *Bothwell*, and the aiding of him in any sort ; which the king did so kindly accept, as rendring her many thanks for the same, he did therewith intreat her to assist the Baptisme of the Prince his son. The like imployment *Peter Young* his Majesties Elemosynar received for *Denmark*, the Dukes of *Brunswick* and *Megleburgh* and to the generall Estates ; *Sir William Keith*, and Captain *William Murray* the Provost of *Saint Andrewes* were directed.

An Assembly of the Church.

The Parliament being in the mean time indicted to the 27. of *May*, the Assembly of the Church convened at *Edinburgh* the seventh of the same moneth, where the Excommunication of the Popish Lords was ratified and ordained to be published in all the Churches of the Kingdome. The King did reside then at *Striveling* ; and thither were *Mr. Patrick Galloway*, *Mr. Robert Rollock*, *Mr. Patrick Simson*, *Mr. James Melvill*, and *Mr. James Nicholson* directed by the Assembly to represent the dangers wherein his Majesties Person, Crown and Liberty of the Countrey stood,



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stood, and to propone such remedies as in their judgement were fittest for preventing the same.

Petitions directed from the Church to the King.

Both the one and the other were conceived in this form;

The perills which oft before were threatned by the pernicious practices of Jesuits, and the malicious, unnaturall and treasonable conspiracies of the Earl of *Huntley*, *Arroll* and *Angus* and their complices, in betraying their native Countrey to the cruell and mercilesse *Spaniard*, are no lesse urgent, and now more to be feared, then when the danger seemed to be greatest, as may appear by the reasons following.

A Remonstrance of the perills threatned to Religion.

1. It is certain that the *Spaniard*, who with so great preparations in the year 1588. enterprised the Conquest of the whole Isle, retaineth the same intention, wanting an occasion onely to accomplish his promise, as is manifest by the intelligence he hath kept with the Popish Lords, ever since the disputation of that Navie.

2. The open rebellion of the said Lords, at the bridge of *De Falkland*, &c. with their continuance in the like treasonable attempts, notwithstanding his Majesties clemency in pardoning the same, doth evidence their obstinacy in prosecuting the same conspiracies.

3. Whereas the Church hath not ceased at all occasions to lay open these dangers, and humbly intreated that some remedy should be provided, nothing hath been obtained: to the emboldening of the enemies in their practices and attempts.

4. Notwithstanding, that it was enacted in Councell, that none should presume to request for the said Popish Lords, under the pain of losing their places and Offices, yet none are in such credit as their favourers, who contrary to their promises labour still to procure them oversight and immunity.

5. The Masses openly celebrated in the house of *Balgawny* pertaining to Mr. *Walter Lindsey*, the house of *Birnes* appertaining to the young Laird of *Bonyton*, the houses of *Douglas*, *Strathbolgy*, *Logyamon* and *Slams* pertaining to the said Earles, do shew, that either they think themselves assured of favour in the Court, or of such assistance in the Countrey, as may maintain their cause, or then that they are perswaded to be supplied by strangers.

6. The Act of oblivion offered to them, with the great discontent of all good subjects, would not have been rejected, except they had looked for greater favour and better conditions.

7. The disobedience they have shewed in entering to their wards when they were charged, doth prove that they think themselves assured of the aid and concurrence of others.

8. The arriving of the *Spanish* Bark lately at *Montrosse* declareth, that they have some practice to be put in execution presently, if the same shall not be timely prevented.

9. The open conventions they keep since the arriving of the said Bark, do shew that they esteem their plots so substantially laid, as they regard not what can be done for resisting the same.

10. The diligence they use in preparing, and putting their friends and followers in armes, specially in the North parts, is an argument of some interprise they go about.

11. And last, whereas his Majesty and Estates did upon the first discovery of their plots and practices, apprehend a great danger to Religion; the Kings Estate, and liberty of the Countrey; notwithstanding, that the cause is not removed, there is no care taken to withstand their courses, which declareth that there is either a purpose to cover, extenuate and bear forth their wickednesse, or that the Lord hath in his judgement blinded and hardened the hearts of all Estates, that while the danger is greatest, they can neither see, nor apprehend the same.



The remedies of the foresaid dangers were proponed,  
as followeth :

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The remedies  
of the dangers.

1. That the Parliament indicted to the 27. of the same moneth should not be prorogated, but the time thereof precisely kept, and the Popish Lords forfeited, and to that effect, the Advocate sufficiently instructed for maintaining the relevancy of the summons and probation in due time provided.
2. That none suspected in Religion be chosen upon the Articles.
3. That after the forfeiture, they be pursued with all extremity, their Lands and Rents annexed to the Crown, and no part thereof disposed in favours of the persons forfeited.
4. That the Guard be employed for apprehending Mr. *Walter Lindesay*, the Abbot of *New-Abbey*, *James wood* of *Bonyton* younger, Mr. *George Ker* ( who had made an escape out of the Castle the year before) Mr. *Alexander Lesley*, *Thomas Tyrie* and other Traffiquers and Jesuits.
5. That the houses of the Rebels be possessed, and their livings introneted with, to his Majesties use.
6. That all persons be inhibited to resset, supply or entertain any intelligence with the said Lords, especially their vassals and dependers, and that none under whatsoever pretext contravene the same.
7. That the subjects be charged to put themselves in armes by all good means, and be in readinesse to pursue and defend, as they shall be warned by his Majesty, or otherwise upon urgent occasions.
8. That the Bark arrived at *Montrosse* be apprehended, and the persons that were within her, with such others as have had any dealing with them, and that they be examined diligently for the discovery of the practice they have presently in hand.

Somewhat was adjected concerning the Lord *Hume*, but he compeiring in the same Assembly, gave satisfaction to the Church, and was absolved from the sentence of Excommunication. All the remedies the King allowed, promising how soon the forfeiture was past, to follow forth the same : Onely at the 7. he tooke exception, where it was desired, that *the subjects should put themselves in armes upon urgent occasions*, for he had not as yet forgotten the stirs of the year preceding; and would have none to arm but upon his own warrant.

The Lord  
*Hume* reconciled to the  
Church.

Withall he sent Sir *Robert Melvill*, and *Alexander Hume* of North Berwick with certain instructions to the Assembly ; whereof one was, *That they should inhibit the Ministers to utter any irreverent speeches in Pulpit against his Majesties person, Councell or Estate, under pain of deprivation* : and because one of their number called *John Ross* had in a Sermon preached before the Synod of *Perth*, uttered divers treasonable and irreverent speeches of his Majesty, it was craved that they should censure him as his fault had deserved. Another was, *That they should excommunicate Mr. Andrew Hunter, for the scandall he had brought upon their profession, he being the first open Traitor of their function against a Christian King of their own Religion, and their naturall Sovereign.* A third instruction was, *That by Act of Assembly Ministers should be ordained to dissuade both by publick and private exhortation, their flocks from concurring with Bothwell in his treasonable attempts, or any other that should make insurrection against the authority established by God in his Majesties person.* The last was assented unto and an Act made thereof, but the censure of the Minister *Ross* was carried more slightly, and he onely admonished to speak in time coming so reverently and discreetly of his Majesty, as there might be no just cause of complaint against him. *Hunter* was deposed from the Ministry, as a desertor of his flock, and one suspected to have joyned himself with the Kings rebels, but the excommunication was not pronounced.

Instructions  
sent from the  
King to the  
Church and  
Assembly.

The Parliament did hold at the time appointed, yet because the Noblemen convened slowly, 3. or 4. dayes were spent without doing any thing. In end when by the excuses that divers made a greater number was not expected, they that were present assembled in the Parliament house, and keeping the form accustomed

A Parliament  
wherein the  
Lords are  
forfeited.



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med made choice of a number for the Articles of Noblemen, there were three Earls, and six Lords onely present. Beginning was made at the summons of forfeiture, the Letters and blanks intercepted with Mr. *George Ker* presented, and the hand-writs cognosced by witnesses. Some question there was about the Blancks, and that which should have been insert in them, but the presumptions were so clear, as none would doubt what the subject should have been. Yet the Noblemen urged a delay of the triall to a more full convention : which the King would not admit, knowing what misinterpretings that would make, and so by pluralities of voices, the crimes of Treason were found to be sufficiently proved, and the sentence of forfeiture pronounced against the three Earls, and *Achindown*; their Scutcheons of Arms (as the manner is) torn by Herauld, and they declared to have lost their honours, lands and estates for treasonable practises against the King, and their Native Countrey.

In this Parliament divers Statutes were concluded, some in favours of the Church, and others very beneficiall to the Countrey, as the Statute made for punishment of theft, robbery, and oppression; another against usury, and a third against buying of Pleas by Judges and other members of the Court of Justice.

The next moneth passed in receiving the Ambassadors that came to assist the Baptisme, which in the latter end of *August* next was performed with great solemnity, from *England* the Earl of *Sussex* was sent; the King of *Denmark*, the Duke of *Brunswick*, *Megelburgh*, with the Estates of the united Provinces, had their Ambassadors present. But from the *French* King there came not any, though they also were expected at the day appointed for the solemnity. The Prince was brought from his own chamber to the Queens Chamber of presence, and laid in a bed dressed in a most stately form; the Ambassadors entered into the Chamber, the Countess of *Marre* accompanied with a number of Ladies took up the Prince, and delivered him to the Duke of *Lennox*, who presented him to the Ambassadors. *Sussex* as having the first place received him, and carried him in his arms to the Chappell, the rest marching in their ranks, and followed by the Ladies of honour, the Mistresse nurse, and others of inferiour note. Before them went the Lord *Hume*, carrying the Ducall Crown, the Lord *Levingston* carried the Towell or Napkin, the Lord *Seaton* the Bason, and the Lord *Simple* the Laver. Above the *English* Ambasadour there was a Pale or Canabie born by the Lairds of *Cesford*, *Buclerogh*, *Duddope* and *Traquier*. The Princes train was sustained by the Lords *Sinclar* and *Urghart*. In this manner they walked toward the Chappell, a guard of the youths of *Edinburgh* well arrayed, standing on each side of the way, and the trumpets sounding.

Being entred the Chappell, the King arose from his seat, and received the Ambassadors at the doore of the Quire, and then was the Prince delivered to the Duke of *Lennox*, who gave him to the Nurse : After which the Ambassadors were conveyed to their places, which were ordered in this manner : Upon the Kings right hand a chair was set for the *French* Ambasadour, but this was empty; next to him the Ambasadour of *Denmark* was placed; on the left the *English* Ambasadour and Legier did sit, and next after them the Ambassadors of *Brunswick*, *Megelburgh*, and the States; every chair had a tassell boord covered with fine Velvet, and the Ambasadour of *England* besides the others had office men standing by him to wait.

The Service did then begin, and upon the end thereof, the *English* Ambasadour arose and presented the Prince to the Bishop, who was appointed to administer the Sacrament. This was Mr. *David Cunningham* Bishop of *Aberdene*. The action finished, Mr. *David Lindsey* Minister at *Leith*, had a learned speech in *French* to the Ambassadors. After which they returned to the Chappell in the same order that they came. Then was the Prince laid upon a bed of honour, and his Titles in this sort proclaimed by the Lyon Herauld, *Henry Frederick Knight and Baron of Rensfrew, Lord of the Isles, Earl of Karrick, Duke of Rothsay, Prince and Stewart of Scotland* : This done, certain pieces of silver and gold were cast forth at a window among the people, and a number of Knights created at night ( for it was in  
the



the afternoon that the Baptisme was ministred ) The Ambassadors with their train, and the Noblemen present were royally feasted, nothing lacking that was required to such a triumph. The rest of the moneth was spent in Playes, running at Tilt, and such other exercises as might give delight to the strangers.

An. 1594.

Amidst these joyes the King was not forgetting his own serious affairs, sent his Secretary Sir *Richard Cockborne* of *Clerkinton* to *England*, to desire the Queens assistance in pursuing the Popish Lords according to the many promises made by the Lord *Souche* and Mr. *Bowes*, that how soon he should enter into action against them the would have an honourable consideration of him and his burthens. And that now the sentence of forfeiture being pronounced, it concerned him both in honour and safety not to permit their longer stay in the Realm. For the support desired and quantity thereof, he was commanded to follow the instructions given to Sir *Robert Melvill* in his last Ambassage, and was enjoined to complain of one Mr. *Lock* his intertainment in the Court, who professed himself an Agent for *Bothwell*; as likewise of Mr. *John Colvill* his publick residence in *Tweedmouth*. In the last points he received satisfaction; and shortly after, Mr. *John Colvill* wearied of *Bothwells* courses, by mediation of friends obtained his pardon: But for the matter of moneys, divers shifts and excuses were made; onely some part of the money was advanced, which was due otherwise to the King.

In the beginning of *September*, the Ambassadors were dimitted with many thanks, nor were they sooner gone, then a new conspiracy was detected. *Bothwell* having joyned himself with the Popish Lords, and received a part of the forain gold sent to them, did undertake to raise such perturbations in the South parts, as the King should be compelled to relinquish the expedition he intended to the North; and if he could apprehend his person to carry him to *Blacknesse*, (the keeper whereof he had corrupted) and there detain him captive, till they might come and make their own conditions.

This enterprize was concluded in an hostlary at the Church of *Memmure* in *August*; where *Huntley*, *Arroll*, *Angus*, *Bothwell*, *Achindown* and divers others, convened and subscribed a Bond, which was given in custody to Sir *James Scot* of *Balwery*. By the apprehension of Mr. *Allan Orme* servant to *Bothwell*, and some papers that were found with him, the whole purpose was discovered; which the King caused to be published, that people might see what trust was to be given to *Bothwells* religion.

This Gentlemans case at his dying was greatly pitied, and much intreaty made aswell for him, as for *James Cockram* keeper of *Blacknesse*: but the clemency shewed in former times to the followers of *Bothwell* was judged so hurtfull, as the King against his nature was compelled to use rigour. Thus the two Gentlemen were condemned, and executed in the publick street of *Edinburgh* in the beginning of *October*.

Immediately after, the Parliament upon intelligence had arrived in the Barque at *Montrosse*, and brought with them some gold for supply of the Popish Lords, Commission was given to the Earl of *Argile* and *Atholl*, the Lord *Forbes* and a number of Barons to go and expulse them forth of the Countrey. But *Argile* being young, and the rest declining the employment till his forces or he himself should take the fields, nothing was done. Whereupon Mr. *Robert Bruse* taking with him Mr. *James Balfour* made a journey to *Argile*, and partly upon promises of recompence from the Queen of *England*, partly upon hopes given that the lands of the Rebels should be at his bestowing, perswaded the Earl to undertake the Commission. So gathering his forces he set forward about the end of *September*, and travelling through the mountains came to *Badenoch* the 27. of that moneth, where he laid siege to the Castle of *Ruthven*, but this was by the *Clamperson* so strongly defended as he was forced to leave the siege & turn unto the Low-lands for joyning with the Lord *Forbes*, the Lairds of *Balghain*, *Drum*, and *Mackenzie*, who were all preparing to meet him.

In his own company was the Lairds of *Tillibarden*, *Grant*, *Macklain*, *Mackintosh*, *Clangregory*, and *Mackneill* of *Baray* with their friends and followers, reckoned in whole



An. 1594. whole to 10000. and above. *Huntley* advertised of his coming did resolve to fight him before his joyning with *Forbes* and those of the Inland, and was thereunto encouraged by the Earl of *Arroll*, who brought with him a small number of five or six score at most, but resolute Gentlemen all. They of *Huntleys* part were thought not to exceed 900. With this small number did he adventure, marching the first day from *Strathbolgie* to *Achindowne*, where he encamped the second of *October*. Captain *Ker* that had served him many years, a man of good experience, being sent the next morning to try what way *Argile* took, did quickly return, and shew that the enemy was at hand. The two Earls hereupon dividing their forces, *Arroll* tooke the leading of the Vantguard wherein were 300. the rest abode with *Huntley* and made the battell.

How soon the forces came in sight one of another, *Argile* was somewhat troubled, for he was made to believe he should see no enemy, yet trusting to his numbers he command *Macklain* who had the leading of his Vant to advance, he himself keeping the advantage of the ground, made the army stay on the side of a hill which was full of moss and bogs. *Huntley* he carried with him certain Field peeces wherewith he plaid upon them in his approach, and therewith put them in great confusion, for the Highlanders casting themselves on the ground, as their custome is, could hardly be raised so long as they heard the noise of the Ordinance. *Arroll* perceiving this made to give the charge, but by reason of the steep ascent he was driven to make a little compass turning his side to the adversaries, who by that time were got on foot and resumng a new courage did rain upon *Arroll* and his men in their passing such a shower of darts and arrows, that as they affirmed who were present, for the space of a quarter of an hour the light of day was palpably eclipsed. *Achindown* was at this time killed and *Arroll* dangerously wounded in his arme and and leg, many had their horses killed, and were compelled to take them to their feet.

*Macklain* whose number were greater environing *Arroll* and his company held them so engaged betwixt himself and *Argile*, as they had been all cut in pieces if *Huntley* had not with speed come to their relief. But he perceived the danger and charged with such fury as the Vant and many of both Armies being joyned they entered into a cruell fight, which continued almost two hours; in the end *Argiles* men were disordered and put to rout, the Earl himself laboured all he could to rally them again together, but it would not be, so amazed they were as without once looking back down they went to the other side of the hill with all the speed they could make. *Macklain* with a few Isles men stood long unto it after the rest were gone, and retired in good order with the smal company he had; *Huntley* persued the chace to the foot of the hill, though the steepness of it be such that a man can scarce walk down it on foot, but the eagerness made all dangers forgotten: There in a little burn or brook called *Alwhaunnachy* he had his horse killed, and before he could be again mounted the enemy was gone to another hill whereas horsemen could not follow, and so the chace ceased. In this conflict *Argile* lost two cousens, *Archibald Campbell* of *Lochinzell*, his brother *James Campbell*, *Mackneill Baray* and about 700 commonsouldiers, on *Huntleys* part besides his uncle *Achindown* 12 only were killed, but many were hurt and wounded.

This fight happened on Thursday the 3 of *October* 1594, and is called by the Countrey people the battell of *Clenlivat*, albeit it was fought on a hill three quarters of a mile distant. The victory fell happily on *Huntleys* side for the Countrey people, who should otherwise been miserably spoiled, if *Argile* with his forces had prevailed.

The Lord *Forbes* with the Lairds of *Bughan* and *Drumchat* were advancing to assist *Argile*; upon advertisement of his defeat and that he was turned back, made after him, thinking to perswade him return. But by the way a gentleman of the name of *Irwyn* being killed by the shot of a Pistol in the dark of the night there entered such a distrust and jealousy amongst them, none knowing who was the doer, as presently they separated and went home.

The King had the news of *Argiles* defeat brought him to *Dundee*, which made him hasten his journey to the North. The 16 of *October* he came to *Aberdene*, where  
councill



councell was taken for demolishing the houses of *Strathbolgy, Slains* and *Newton*. In this service the Earl of *Marshall* was imployed, having some Companies of horse and foot allowed him till the same was accomplished. An. 1595.

*Huntley* and *Arroll* during that time did lurke in *Sutherland*, thinking how soon the King returned South to come back into their Countreys; but the Duke of *Lennox* being left Lieutenant in those parts by the counsell and assistance of those that were appointed to attend him, put them to such extremity as they made offer to depart forth of the Realm, and laid surety neither to return without his Majesties license, nor to practise against Religion and the State whilest they stayed abroad. It was debated a while, whether or not such a capitulation might stand with the Kings honour, and his Majesty being thereupon consulted in regard of the many difficulties that pressed him in the time, and that it made for the quietness of the kingdome to have them put away, the surety offered was accepted; which done, the Duke of *Lennox* having stayed in those parts three moneths returned about the third of *February* to *Edinburgh*.

*Bothwell* now was in miserable plight being hated of the Queen of *England* for his combining with the Popish Lords, Excommunicated by the Church and forsaken of his fellowes, especially *M. John Colvill*, who had followed him in all his troubles, and knew the places of his resset; for he had made his peace, and (as the rumor went) betrayed *Hercules Stewart Bothwells* brother, who the same time was executed publickly in the street of *Edinburgh*. These things did so increase his fears, as not knowing whom to trust he stole away privately to *France*. The King hearing that he was gone and had taken land at *Newhaven* in *Normandy*, sent a Gentleman to the *French* King to demand him as one who was declared a traitor: and if that was denied, to desire that he might be banished *France*. The answer of the *French* King was, *That he should give him no Countenance; but since he had taken his refuge thither, he could not but suffer him enjoy the free ayre of his Countrey*. Some moneths he remained there, till either wearied of the bad entertainment he found; or, as it was said, for challenging a Gentleman to combat against the Kings edict, he was forced to quit those partes and fly into *Spain*; from thence he went to *Naples*, where he lived in a poor estate unto his death, which happened some years after the King his going into *England*.

How soon *Bothwell* was gone, all his followers did sue for pardon: *Sr. James Scot* of *Balwery* offering to exhibite the bond made at the Church of *Menmore* betwixt *Bothwell* and the Popish Lords, which he had in custodie, was brought before the Councell, and having produced the same, laid open all their plots. By his deposition it appeared that *Sir James Douglas* of *Spot* was the principal worker of that agreement. Whereupon the Ministers of *Edinburgh* were called, and the bonds shewed unto them bearing a mutuall concurrence in all things, Religion not excepted. Whereupon they were desired to pronounce *Spot* excommunicated as one that had made detection from the truth, and was otherwise suspected of haynous crimes; but they excusing themselves, the Commissioners of the generall Assembly were called to meet at *Striveling*, who after some debating, the sentence was pronounced against him. *Balwery* after a few days imprisoned, was set at liberty and remitted, but never prospered after that time, and ruined his house utterly, for an ensample to all that will be meddling with factious and seditious Rebels.

The year following an Assembly of the Church was kept at *Montrose* in the moneth of *June*, where the Commissioners for the King did urge these Articles. First, *Whosoever did medle or practise in any treasonable enterprise against his Majesties person and estate being found and declared culpable by law, they should likewise incurre the sentence of Excommunication, that so there might be an inseparable union betwixt the two swords*. Secondly, *that no Excommunication, should be pronounced at the appetite of particular men, but that a sufficient number of the Church should be first Assembled, and the same determined by publick consent*. Thirdly, *That none should be Excommunicated, for civill causes, crimes of light importance, or particular wrongs of Ministers, lest the censure should fall into contempt and become like the Popes cursing*. Fourthly, *That no summare*

The bond betwixt the Popish Lords and *Balwery* exhibited.

*Sir James Douglas* of *Spot* excommunicated.

An. 1695.  
An assembly of the Church at *Montrose*. Articles sent from the King to the Assembly.



An. 1595. Excommunication should be thenceforth used, but that lawfull citation of parties should go before in all causes whatsoever.

The Assemblies  
answer.

To the first the Assembly agreed with the clause *Legitimâ cognitione Ecclesiasticâ præeunte*. To the second they likewise condescended. But to the third and fourth they answered, that those being points of great weight and craving a mature deliberation, could not on the sudden be determined; and so continued the resolution thereof to the next Assembly, discharging in the mean time any summary Excommunication to be used, with this exception, *Nisi salus ecclesiæ periclitetur*. The exception displeased the King, for he thought it would serve the turbulent sort for a colour to all their proceedings.

The Queen  
seeketh to have  
the Prince in  
custody.

But there fell out in the mean time a business which made all these things be forgotten. The Queen moved by some that envied the Earl of Marre his credit, laboured to have the Prince her son in her own custody and had drawn the Chancellor and divers of the Councell to promise their assistance. Advertisement given of this to the King, who was then at Falkland, he came to the Queen at Halyrud-houſe, and inhibiting any of the Councell to come towards him till he should call them, dealt so with the Queen that he diverted her from that course, and made her go and remain at Striveling. How soon she was gone, calling the Chancellor and such of the Councell as were suspected to have suffered her in those conceits, he shewed himself much displeased, and chiding them bitterly followed the Queen to Striveling, where he remained not long but returning to Falkland left to the Earl of Marre a Warrant written with his own hand, and conceived in this form.

The King di-  
verteth her  
from that  
course.

The Kings  
letter to the  
Earl of Marre  
for receiving  
the Prince.

*My Lord of Marre, because in the surety of my son consisteth my surety, and I have concredited unto you the charge of his keeping upon the trust I have of your honesty, this I command you out of my own mouth being in the company of those I like otherwise for any charge or necessity that can come from me you shall not deliver him. And in case God call me at any time see that neither for the Queen nor Estates their pleasure you deliver him till he be 18 years of age, and that he command you himself.* Striveling the 24 of July 1595. This warrant as it shewed the Kings displeasure at those that had combined in the plots, so it declared the great trust he put in the Nobleman.

The Chancel-  
lor contracteth  
sickness and  
dieth.

Shortly after the Chancellor taking to heart the Kings offence contracted a hearty sickness at his house of Lawder, and sending his Cousen the Secretary to the King who remained then at Hamilton, did by him excuse the dealing in that matter, and with a solemn protestation of his fidelity in all his Majesties services, seriously commend his Lady, children and friends, now that he was to end his life, to his Majesties protection. The King was much troubled with the news, and wrote unto him with his own hand the letter following. *Chancellor, how sorry I am of these newes I leave it to your self to judge, I was never a dissembler of my affections. And yet I trust that God will not spoil me of you so untimely; Therefore will pray you, so farre as you may, with a valiant heart resist the assaults of your sickness, hoping in the goodness of my fortune that God will reserve you yet to me as Hezekiah was to his people, for the necessity between Prince and subject is reciproque, nor can any sickness how heavy soever it be take away the life, if God cut not the threads thereof. As to your suits, if God calls you, I need no remembrance: for since I made you a pattern of my constant favour during your life (as your self hath oft time said) I am much more bound of Princely duty to make your wife and posteritie that bears your image a vive representation of my thankfull memory. And to comfort you in this, remember what I have done to the Duke, and my Lady Huntley, for their fathers sake. This may assure you that in case of the worst (which God forbid) your thoughts shall be prevented herein by my thankfull behaviour to them; and for your cousin the Secretary, he shall be the better at my hand in losing you. But I grieve to hear better newes: And if time and distance of place could have permitted me in any way, I should not have spared to have carried my own message myself. God send you your health, and keep you to me, and to your Native Countrey.*

The Kings  
letter to the  
Chancellor.

The Chancel-  
lor his qua-  
lities.

This shewed in what account the King held him: and in truth he deserved nothing lesse; for he was a man of rare parts, and of a deep wit, learned, full of courage, and most faithfull to his King and Master. In that last business which the Queen went about of taking the Prince from the Earl of Marre, he was consenting;

(for



(for the two Noble men had their private emulations, but it was ever with a reservation of his Majesties pleasure.) No man did ever carry himself in his place more wisely, nor sustain it more courageously against his enemies then he did. Being visited in his sicknesse by Mr. *Robert Bruce*, and the Ministers of *Edinburgh*, he expressed a great contempt of the world, and of the vanities of it, lamenting that he had not done the good which he would and might have done in his place, being impeded as he said by the malice of his adversaries, who were ever plotting his death and ruine. Two moneths he continued under that languishing sicknesse, and ended his dayes most happily the 3. of *October*, 1595. The King did greatly lament his death, and honoured him with this Epitaph.

An. 1595.

*Thou passenger that spies with gazing eyes  
This Trophy sad, of deaths triumphant dart,  
Consider when this outward Tombe thou sees,  
How rare a man leaves here his earthly part.  
His wisdom, and his uprightnesse of heart,  
His pietie, his practice of our State,  
His quick Engine so verst in every Art,  
As equally not all were in debate.  
Thus justly hath his death brought forth of late,  
An heavy grief in Prince and Subjects all,  
That virtue love, and vice do bear at hate,  
Though vicious men rejoyces at his fall.  
So for himself most happy doth he die,  
Though for his Prince it most unhappy be.*

His Epitaph  
written by the  
King.

Others for all this spared not to expresse their malice in Libells and Rythmes after his death; some whereof were cast in the Kings Chamber at *Linlithgow* and other places: but as the Authours were not known, so were the Rythmes despised and contemned by all good men. His body was some dayes after conveyed to *Hardington*, and solemnly interred in the Sepulchre of his fathers.

This year was by the vulgar people reckoned among the ill years, because of the dearth and scarcity of Corns, which the abundance of winds in the Harvest time had caused, yet for the bloodshed and slaughters committed in all quarters of the Countrey was it more justly to be so accounted; For in the South parts the *Johnstons* and *Maxwells* had a bloody conflict, wherein divers were killed; the greatest losse falling upon the *Maxwells* that went from the West parts besides *Glasgow*, to assist their friends in the South.

Great dearth  
of Corns, and  
great bloodshed  
in the Coun-  
trety.

In the Isles and Highlands were likewise great troubles: nor was the Incoun- trey more quiet, bloods and slaughters dayly falling out in every place. Among which none was more odious then the slaughter of *David Forrester* Citizen of *Striveling*, killed as he was returning from *Edinburgh* by some that lay in wait for his life. The Lairds of *Arth* and *Dunnypearce*, were thought to have hounded out the committers upon a spleen conceived against the Gentleman for the credit he had with his Master the Earl of *Marre*: for no other quarrell could be pretended. The Nobleman taking this greatly to heart, caused to bring the body of his servant to *Linlithgow*, (for he was killed nigh to *Linlithgow*) & with his whole friendship conveyed the same to *Striveling* there to be interred, carying along the portraite of the dead with the wounds he had received in a white sheert, to move the beholders, to a great detestation of the fact. The Corps buried, & the Earl following the course of Law, the Lords *Levingston* and *Elphinston* did partie the Committers. And though the King by his Proclamation did prohibit the assisting either of the pursuit or defenders, commanding Justice to be done, nothing could take effect in that troublesome time; so powerfull was the combination of parties. But that which by the ordinary way of Justice could not as then be required, we have since visibly punished in the fall and ruine of those Families, for a lesson to all men to fly and abhorre the shedding of innocent blood.

David Forre-  
ster Citizen of  
*Striveling* trea-  
cherously be-  
trayed.



An, 1595.

A Commission  
to eight of the  
Councell to  
rule the Ex-  
chequer.

The year preceding the King had directed, as we shewed, Sir *Richard Cockborn* of *Clerkington* his Secretary to *England*, and amongst other instructions willed him to urge the payment of the moneys which the Lord *Souch* and Mr. *Bowes* the Queens Ambassadors had often promised. Wherein finding nothing but delays, and his necessities dayly growing, he resolved to look to his own estate at home, and order his revenues to the best profit. For this effect he made choice of eight persons to rule the affairs of the Exchequer. These were *Alexander* Lord *Urghart*, President of the Colledge of Justice, *Walter* Commendator of *Blantry*, Lord Privie Seal, Mr. *David Carnegie* of *Collurby*, Mr. *John Lindersey* Parson of *Menmure*, and *James Elphinston* of *Ennernathie*, Mr. *Thomas Hamilton* of *Dummany*, Mr. *John Sken* Clerk of Register, all Senators of the Colledge of Justice, and Mr. *Peter Young* of *Seaton* his Elemosynar.

The tenor of  
the Commission.

To these eight or any five of them was intrusted “ the full and free administration of the whole Rents and Duties pertaining to the Offices of Controullery and “ Collectory, resigned and committed by the four Officers in his Majesties hands, “ with power to deprive and discharge all inferiour Chamberlains, Under-colle- “ ctors, Customers, Secretaries, Intrometters whatsoever, with any of the said “ Rents, all inferiour Clerks of the said Offices, and to appoint new Clerks, Re- “ ceivers and Intrometters with the same (excepting onely the Office of the “ Clerk of Register his fees) priviledges, and other commodities belonging to “ him or any of his Predecessours, to hear and exact account of Steward, Sheriffs, “ Bayliffs, Provosts of Burghs, Customes, Clerks of Cockquet, Searchers, “ Chamberlains, Receivers, Factours and Intrometters, with the Farmes, Males, “ Profits and Duties, Caves, Customes, Fishings, Cole-houses, Parks, Stead- “ ings, Orchards and other Rents of the propertie annexed of old and of new, “ or unannexed and belonging any way to the Patrimony of the Crown, as also “ to hear the unmade accounts of the Treasurer and his Deputies, the Generall and “ Warden of the Coin and Taskmen and labourers of the Mines and Metalls, the “ Collectours of the Taxation, the Master of the Wardrobe Jewels and moveables, “ the Master of the work, the munition and plenishing of Castles, the Monks “ portions, the payment of the Guard and men of Warre, the rents of Colledges, “ Hospitalls, Schools and Students, the common good of Burghs, the Dowry of “ whole moneys appertaining to the King, as well within the Realm as coming “ from other parts, and to allow or refuse allowance thereof, as they should find “ meet; with power likewise to appoint and set Fines and Penalties for offences, “ to make and set down the prices of Wines, Victualls and Corns, yearly to put “ an order to his Majesties house, and Esquiere and stable, and make provision “ therefore; to repair the decayed Customes, appoint the Order of uplifting the “ same, and to rowpe and set them to the best profit; to consider the state of the “ present Coin, and therein direct what they should think requisite to assist the “ Treasurer and the Compositors in the expeding of signators, and that without “ advice nothing should passe; to examine the diligence of Sheriffs and other infe- “ riour Judges with their Officers, and negligence to correct and punish the faults “ of Officers of Arms; to compone, transact or uplift the escheats of persons de- “ nounced to the horn; and generally to do and perform all things proper to the “ Exchequer, they enoying such places in Councell, and Parliament, as the Offi- “ cers thereof had in former times with all the power, priviledges, honours and “ immunities that belonged thereto, either by Acts of Parliament, or by consue- “ tude of the Realm.

The King his  
promise to the  
Commission-  
ners.

“ The King did further promise *in verbo principis* not to joyn any more to the “ present Commission at any time hereafter; and in case a place fell void by de- “ cease of any of the present Commissioners, to receive and admit none, but by “ advice and consent of those that remained alive, as also not to signe any letter or “ signatour concerning the disposition of any of the rents of property, collectory, “ or new augmentations, confirmatives or ratifications of any former gifts, dispo- “ sitions, pensions, or intestments or licenses for transporting of forbidden goods, “ unlesse the same were first heard, allowed and subscribed by the said Lords, or any



“any five of them sitting in Councell by way of Action, Exception or Reply, notwithstanding the Seals were appended thereto. The keeper whereof were discharged to append any signet or seal, except the letters or signatures were subscribed in manner above rehearsed, under the pain of losing their offices. Moreover, it was declared that the said Lords should have power to direct letters of horning, poynding and caption upon their own acts and decretes, and that no suspension of any charges for ingathering any part of the Patrimony should pass, except in Exchequer or Session three of the said Lords subscribing the same.

An. 1595.

The Lords again made faith, “That the next unto God, and good Conscience they should in all things respect his Majesties weal, honour and advancement of his revenue, and neither for tenderneſs of blood, commodity to themselves, awe or fear of any person consent to the disposition of any part of the patrimony, whereby his Majesties profits might be diminished, and that they should not give their consents severally, but being assembled, at least five of them in Exchequer, under protestation that the accepting of the said Commission should not be a reason of declining them in Action that concerned his Majesty, seeing they did neither receive fee, nor were intrometters with any part of the rents, but only directed the receivers and collectors of the same.

The Commissioners make faith.

This Commission approved by the Lords of Councell, was published at the market Croſs of *Edinburgh* the 12 of *January* 1595. diverse excepting at the ampleness of it, and saying, *That the King had left nothing to himself but the naked title of a King, and put all his power and means in the hands of others, so as subjects were to expect no benefit nor reward from him.* The Courtiers, they especially of the bed-chamber, did grudge exceedingly, that all occasion to do good to themselves or their friends was this way cut off. Nor was it long before these Commissioners became extremely disliked, partly for their strict dealing with the subjects, and partly for drawing all the offices into their own hands. Beginning was made at *M. David Magill* Advocate, whom they pressed to dimit and resigne his office by reason of his age and imbecillitie as they pretended, and when by no perswasion he could be moved unto it, they did associate with him in office *M. Thomas Hamilton* one of their own number; which bred him such a grief, as shortly after he ended his days. Next they fell upon the Master of *Glamys* Treasurer and his deputy *Sir Robert Melwill*, and by examining their accompts found them liable in such sums to the King, as to obtain a *Quietus* est they were glad to resigne the Treasurer, which was bestowed on the Prior of *Blantyre*: Then did they labour the Secretary *Sir Richard Cockborne* to resigne his place, and exchange it with the office of Privie Seal, which *Blantyre* had dimitted in favour of *Mr. John Lindesey*. This was easily effected, the gentlemen not liking to contend or fall in question with them. The office of the Collectorie, resigned by the Provost of *Lincolnden*, was given to *Mr. James Elphinston*. The President they intended to make Chancellor; but to this the King would not condescend, knowing how he stood affected in Religion, and that his preferment to that chief place would open the mouths of the Ministers, and raise a clamour in the Countrey. These proceedings did work them much hatred, and (as is the lot of those that rule in Estates) whatsoever was amisse, they carried the blame. albeit in many things they were innocent.

Exception taken at the ampleness of the Commission.

The Commissioners possesse themselves with offices of Estate.

The next year begun with a trouble in the borders, which was like to have destroyed the peace betwixt the two Realms, and arose upon this occasion: The Lord *Scroope* being then Warden of the West-Marches of *England*; and the Laird of *Baclugh* having the charge of *Liddisdale*, they sent their Deputies to keep a day of Truce for redresse of some ordinary matters. The place of meeting was at the *Dayholme* of *Kershopp*, where a small Brook divideth *England* from *Scotland*, and *Liddisdale* from *Bewcastle*. There met as Deputie for the Laird of *Baclugh*, *Robert Scott* of *Hayninge*; and for the Lord *Scroope*, a Gentleman within the West Warderie, called *Mr. Salkeld*. These two, after truce taken and proclaimed, as the custome was, by sound of Trumpet met friendly, and upon mutuall redresse of such wrongs as were then complained of, parted in good tearms, each of them taking his way homewards. Mean while it happened one *William Armstrong*, commonly

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*William Armstrong called Will of Kinmouth, taken Prisoner.*

The Laird of *Baclugh* complaining of the breach of truce.

No satisfaction made, *Baclugh* lets the Prisoner at liberty.

The Castle of *Carlisle* surprised, and the Prisoner freed.

called *Will of Kinmouth* to be in company with the Scottish Deputie, against whom the English had a quarrell for many wrongs he had committed, as he was indeed a notorious thief. This man having taken his leave of the Scots Deputie, and riding down the River of *Liddell* on the Scottish side towards his own house, was pursued by the English that espied him from the other side of the River, and after a chase of three or four miles, taken prisoner, and brought back to the English Deputie, who carried him away to the Castle of *Carlisle*.

The Laird of *Baclugh* complaining of the breach of truce (which was alwaies taken from the time of meeting unto the next day at sun rising) wrote to Mr. *Salkeld*, and craved redresse; he excused himself by the absence of the Lord *Scroope*; whereupon *Baclugh* sent to the Lord *Scroope*, and desired the prisoner might be set at liberty without any bond or condition, seeing he was unlawfully taken. *Scroope* answered, that he could doe nothing in the matter, it having so happened, without a direction from the Queen and Councell of *England*, considering the man was such a Malefactor. *Baclugh* loath to inform the King of what was done, lest it might have bred some misliking betwixt the Princes, dealt with Mr. *Bowes* the Resident Ambassadour of *England* for the Prisoners liberty, who wrote very seriously to the Lord *Scroope* in that business, advising him to set the man free, and not to bring the matter to a further hearing; but no answer was returned: the matter thereupon was imparted to the King, and the Queen of *England* solicited by Letters to give direction for his liberty; yet nothing was obtained: which *Baclugh* perceiving, and apprehending both the King and himself as the Kings officer to be touched in honour, he resolved to work the Prisoners relief by the best means he could.

And upon intelligence that the Castle of *Carlisle*, wherein the Prisoner was kept, was surprisable, he employed some trusty persons to take a view of the Postern-gate, and measure the height of the wall, which he meant to scale by ladders; and if those failed, to break through the wall with some iron instruments, and force the gates. This done so closely as he could, he drew together some 200 horse, assigning the place of meeting at the Tower of *Morton*, some ten miles from *Carlisle* an hour before sun-set. With this company passing the water of *Esk* about the falling, two howers before day he crossed *Eden* beneath *Carlisle* bridge (the water through the rain that had fallen being thick) and came to the *Sacery*, a plain under the Castle; There, making a little halt at the side of a small Bourn which they call *Cadage*, he caused 80 of the company to light from their horses and take the ladders and other instruments which he had prepared with them, he himself accompanying them to the foot of the wall, caused the ladders to be set to it, which proving too short he gave order to use the other instruments for opening the wall nigh the Postern, and finding the business like to succeed, retired to the rest whom he had left on horse-back for assuring those that entred upon the Castle against any eruption from the Town. With some little labour a breach was made for single men to enter, and they who first went in brake open the Postern for the rest; the watchmen and some few the noise awaked, made a little restraint, but they were quickly repressed and taken captive, after which they passed to the Chamber wherein the Prisoner was kept, and having brought him forth, sounded a trumpet, which was a signall to them without that the enterprize was performed. My Lord *Scroope* and Mr. *Salkeld* were both within the house, and to them the Prisoner cried a good night. The captives taken in the first encounter were brought to *Baclugh*, who presently returned them to their Master, and would not suffer any spoil or booty, as they term it, to be carried away: he had straitly forbidden to break open any door but that where the Prisoner was kept, though he might have made prey of all the goods within the Castle, and taken the Warden himself captive; for he would have it seen that he did intend nothing but the reparation of his Majesties honour. By this time the Prisoner was brought forth, the Town had taken the Alarum, the drums were beating, the bells ringing, and a beacon put on the top of the Castle to give warning to the Countrey. Whereupon *Baclugh* commanded those that entred the Castle and the Prisoner to horse, and march again by the *Sacery*, made to the River at the stony bank: on the other side whereof certain were assembled to stop his



his passage, but he causing sound the Trumpet took the River, day being then broken, and they chusing to give him way he retired in order through the *Grahams* of *Esk* (men at that time of great power and his unfriends, and came back into Scottish ground two howers after sun-rising, and so homewards.

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This fell out the 13 of *Aprill* 1596. The Queen of *England* having notice sent her of what was done stormed not a little, one of her chief Castles surprised, a prisoner taken forth of the hands of the Warden and carried away so far within *England*, she esteemed a great affront. The *Liege M. Bows* in a frequent Convention kept at *Edinburgh* the 22 of *May* did, as he was charged, in a long Oration aggravate the hainousness of the fact, concluding that peace could not longer continue betwixt the two Realms, unless *Baclugh* were delivered in *England* to be punished at the Queens pleasure. *Baclugh* compiering and charged with the fact made answer, *That he went not into England with intention to assault any of the Queens houses, or to do wrong to any of her Subjects, but onely to relieve a subject of Scotland unlawfully taken and more unlawfully detained; That in the time of a generall assurance in a day of truce he was taken prisoner against all order, neither did he attempt his relief till redress was refused; and that he had carried the business in such a moderate manner as no hostility was committed, nor the least wrong offered to any within the Castle: yet was he content according to the ancient treaties observed betwixt the two Realms, when as mutuall injuries were alleadged, to be tryed by the Commissioners that it should please their Majesties to appoint, and submit himself to that which they should decern.* The Convention esteeming the answer reasonable did acquaint the Ambassadour therewith, and offered to send Commissioners to the borders with all diligence to treat with such as the Queen should be pleased to appoint for her part.

The Queen of *England* greatly offended with the enterprise.

This matter debated in Councell.

But she not satisfied with the answer refused to appoint any Commissioners; whereupon the Councell of *England* did renew the complaint in *July* thereafter, and the business being of new agitated it was resolved of as before, and that the same should be remitted to the triall of Commissioners: the King protesting, *That he might with great reason crave the delivery of the Lord Scroop for the injury committed by his deputy, it being less favourable to take a prisoner then relieve him that is unlawfully taken; yet for the continuing of peace he would forbear to do it, and omit nothing on his part that could be desired either in equity, or by the laws of friendship.* The borderers in the mean time making daily incursions one upon another filled all their parts with trouble, the *English* being continually put to the worse; neither were they made quiet till for satisfying the Queen the Laird of *Baclugh* was first committed in *S. Andrews*, and afterwards entered in *England*, where he remained not long.

The trouble quieted by *Baclugh* in *England*.

At the same time for bringing the Isles to obedience *Collonell Stewart* was imployed to levy 1000 men, every shire furnishing 20 horsemen and 30 foot, or so much money as would sustain them, allowing the horsemen 24 pounds monthly and the foot 12 pound, besides the supply of the free burghes. These companies were appointed to meet at *Dumbalton* the 20 of *August* for aiding the King or his Lieutenant for the space of 40 days according to the customes, and when the days were come were commanded to follow the Colonell as designed Lieutenant assigned by the King. But upon the bruit of this expedition the principals of the Isles did all submit themselves, offering obedience to appear before the King at the time his Majesty should appoint: so that expedition ceased, the Colonell going no further then *Ila*, where he remained a few days and took assurance for their appearance.

Col. Stewart design'd Lieutenant for the Isles.

In the March preceding the Assembly of the Church convened at *Edinburgh* for consulting upon the dangers threatned to religion by the invasion of the *Spaniard*, which was then generally noised. Some brethren directed to lay open the perils to his Majesty, returned with this answer; *That albeit there was no great cause to fear any such invasion at that time, yet they should do well to give their advice as if the danger were at hand, which would serve when necessity did require.* The Assembly upon this thought meet to enter into consideration both of the dangers and remedies, and first to enquire upon the causes that had provoked God to threaten the Realm with that tyrannous Nation, to the end the same might be removed; then to deliberate how by ordinary lawfull means the enemy should be resisted.

An Assembly of the Church at *Edinburgh*.

A search of the causes of the present fear of invasion.

The



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A new Covenant made by the Ministers for abiding to the profession of the truth and living according to the same.

The causes they condescended to be sins of all estates, and especially the sins of the Ministry; which they held best should be penned and drawn to certain heads, that the corruptions being laid open the remedies might be the better provided. For this work some of the brethren were named & set apart, who after a day or two presented in writing a number of Articles touching the corruption of Ministers as well in their offices as in their lives and manners; the offences in the Kings house; in the Court and in the Judgment seats; the defection and faults commune to all estates; and the remedies which in their opinion were fit to be used.

The Assembly allowing their labours and acknowledging their own guiltiness in that which concerned themselves, ordained a day of humiliation to be kept on Tuesday the week following by the Ministers that were there present, for reconciling themselves to God, and making up a new Covenant for the better discharge of their duties.

This is the Covenant that by some is so often objected and said to be violated by those that gave obedience to the Canons of the Church, albeit in it there is not a word or syllable that sounds either to confirming of the Church government then in use, or to the rejecting of that which since hath been established. But when other Arguments fail them, somewhat must be said to entertain the conceits of the popular. By this Covenant all did bind themselves to abide in the profession of the truth, and to walk according to the same as God should enable them. But for the rules of policy or ceremonies serving to good order or decency, let inspection be taken of the Register which is extant, and it shall plainly appear, that at the time there was not so much as any mention thereof made.

Advice for resisting the enemies of Religion.

But to proceed; The advices they gave for resisting the practises of the enemy was, *That all who had kithed in action with the Popish Lords should enter their persons in ward, till assurance was given that they should neither keep intelligence with the Rebels, nor joyn with them in case they did return into the Countrey. That the rents and livings of the Rebels should be uplified for entertainment of souldiers, and supporting other necessary affairs. That in every Parish Captains should be chosen for the mustering and training of men in Armes, and some Commanders in every Shire appointed for convening the County at needfull occasions. Lastly, that they who were Sureties for the good behaviour of the Rebels without the Realm should be called, and to pay the summes contained in their bonds.*

The King desired to have the Noblemen reclaimed.

This advice presented to the King went much against his minde; for his desire was to have the banished Lords reclaimed and brought to obedience, which he esteemed to be the greatest assurance both of his own peace and the Countries quiet; therefore did he onely answer, *That if it could be proved that the Lords since their departing from Scotland had traffiqued with strangers to the prejudice of Religion or State, they should be used with all extremity; but otherwise neither could their Cautioners be convicted, nor would he change the course which he had kept with their wives and children.* Not long before this Assembly, the King had communicated his minde to Mr. Robert Bruce touching that business, hoping that by the sway he carried in those meetings some such Propositions as tended to the reclaiming of the banished Lords should have been made by the Assembly; but finding his expectation not answered, he brake to him the matter of new, and shewed *how greatly it concerned his estate to have them reduced and called home; That the Queen of England was grown old, and if any should after her death withstand his Title, he would have need of his subjects assistance. And that having so many Nobles exiled he would be lesse respected of strangers, and be a great deal weaker at home. If he could therefore win them to acknowledge their offence, and so embrace the true Religion (without which they should never get any favour from him) he believed the course would not be disallowed of wise men, and those that loved him. Alwaies he desired to know his judgment, for as yet he had not shewed his minde in that matter to any person.*

He communicated his mind with M. Robert Bruce.

M. Robert Bruce his answer and advice.

Mr. Robert Bruce, being as then in great favour and credit with the King, said "that he did think well of his Majesties reasons; and that he should not doe amiss to bring home Angus and Arroll, so as they would conform themselves in Religion. But that Huntley could not be pardoned being so hated as he was of

" the



the subjects. The King reasoning to the contrary, “ that if *Huntley* be willing to  
 “ satisfy the Church and fulfill the Conditions which he would require of him, he  
 “ saw no reason why he should not be received as well as the other two; And as he  
 “ could not but know that his care of that man was great; and he having married  
 “ his Cousin, whom he accounted his own Daughter; so was he the man of greatest  
 “ power, and one that could stand him in most stead. Therefore desired Mr. *Robert*  
 “ to think of that matter, and after a day or two give him his advice in it. At the  
 next meeting being enquired what he had thought of the business, he answered as  
 before, saying, That *Huntley's* return would be ill interpreted, and offend all good  
 men. The King repeating the former Reasons, and adding, That if he brought one  
 home he would bring them all; he replied, *I see Sir that your resolution is to take*  
*Huntley in favour; which if you doe, I will oppose, and you shall choose whether you will*  
*lose Huntley or me; for us both you cannot keep.* This saucy reply the King did never  
 forget, and it was this which lost him the favour which formerly he carried with  
 the King.

The exiled Lords not finding that respect given unto them in forain parts which  
 they expected, took a resolution to return, and to use all means for reconciling  
 themselves to the King & Church. And that their return might be the more secret,  
 they separated one from another; *Arroll* taking his journey homewards through  
 the United Provinces was intercepted and delivered into the hands of Mr. *Robert*  
*Danielston* Conservator of the *Scotish* priviledges, to be kept by him till the King  
 should be advertised. But whether by the Conservators knowledge, or otherwise,  
 he made an escape and came into the Countrey. *Huntley* came some moneths be-  
 fore, and lurking secretly in the North, sent a supplication to his Majesty, and the  
 Convention which met at *Falkland* the 12 of *August*, the effect whereof was, that  
 he might be permitted to return and remain within any part of the Countrey his  
 Majesty should appoint, he giving sufficient surety for his quiet and peaceable be-  
 haviour.

The King having heard the Supplication, took occasion to say, “ That one of  
 “ the two courses was needfull to be followed with him and the rest that were in his  
 “ condition; that is, either utterly to exterminate them, their race, and posterity, or  
 “ then upon their humble acknowledgment of their offence and surety made for  
 “ the state of Religion to receive in favour; for to continue in the condition  
 “ wherein they presently were, could not stand either with the safety of Religion,  
 “ or with his own honour and estate. The first course, said he hath the own diffi-  
 “ culties, and will not be performed without great trouble; And for my self, so  
 “ long as there is any hope that they may be reduced to the profession of the truth,  
 “ I desire not their destruction, but like rather to extend my clemency towards  
 “ them; which I believe is the minde of all good and peaceable men. As to the  
 “ present offer made by *Huntley*, I do not think it well generall, and to no purpose;  
 “ therefore by your advise I would have particular Conditions condescended upon,  
 “ such as may serve for security of Religion, mine own honour, and the tranquil-  
 “ lity of the Countrey; such Conditions being offered and security found for per-  
 “ formance, I should then think that license might be granted him to return, he  
 “ being confined in such a part of the Countrey as should be thought most conve-  
 “ nient. The Convention approving his Majesties judgment, resolved upon this  
 as the fittest course, remitting the Conditions to be formed by his Highness and  
 the Lords of Councell.

*September* the same conclusion was ratified at another Convention of the Estates  
 at *Dunfermling*, and the Baptisme of the Princess who was born the 19 of *August*,  
 appointed to be at *Halysrud-houfe* the 28 of *November* next.

How soon this their return into the Countrey was known, and that such an Act  
 was passed in their favours, the Commissioners of the Church assembled at *Eden-*  
*burgh*, where falling to consider the dangers threatned to Religion by their return,  
 it was thought necessary to acquaint all the Presbyteries with the present state of  
 things; particularly that the forfeited Earls were returned into the Countrey  
 without his Majesties warrant and approbation, that they remained peaceably in  
 the

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The King rea-  
 soneth with  
 him to the  
 contrary of  
 his advise.

Mr. Robert's  
 saucy Reply to  
 the King.

Shortly after  
 the Lords exi-  
 led return.

The Earle of  
*Arroll* inter-  
 cepted in the  
 Low Coun-  
 treys escape.

A Convention  
 at *Falkland*.

The King's  
 judgment of  
*Huntley's* sup-  
 plication.

A Convention  
 at *Dunfermling*.

The Commis-  
 sioners for the  
 Church upon  
 the report of  
 the Lords meet  
 at *Edinburgh*.



An. 1596.

A publick humiliation indicted.

Persons nominated to attend at Edinburgh for the Church.

The Lord Seaton President of the Session cited to appear before the Synod of Lothian.

A Conference betwixt certain of the Councell and some moderate men of the Ministry.

the same, using all means to be restored to their livings : albeit they had neither acknowledged their offence in that treasonable dealing with the King of *Spaine*, nor their defection and apostasie from the truth. And that they had maintained an Act of Councell in their favours at the Convention of *Falkland*, which was ratified thereafter at *Dunfermling*, whereby they were licensed to remain upon certain Conditions to be prescribed unto them by his Majesty and Councell, to the manifest hazard both of Church and State, considering their continuance in the same disposition to work mischief as before : of these things they were desired to inform their flocks ; and both in publick doctrine and private conference to stirre up the Countrey-people to apprehend the danger, and to be in readines to resist the same so farre as lawfully they might. It was further thought meet, that publick humiliation should be indicted through the whole Countrey the first Sunday of *December*, and the cause thereof declared to be the return of the excommunicated Lords, and dangers thereby threatned to Religion, which the Ministers should enlarge according to their discretions, as also that the Presbyteries should call before them their Entertainers, Resettlers, and such as kept company with them, and proceed summarily with the Censures of the Church, *una citatione quia periclitatur salus Ecclesie & Reipublicæ*. Lastly, they concluded that a number of Commissioners selected out of all the Quarters of the Countrey should reside at *Edinburgh*, and convene every day with some of the Presbyterie of *Edinburgh*, to receive Advertisements as should be sent from other places, and take counsell upon the most expedient in every case. The Brethren nominated to this purpose were Mr. *Alexander Douglas*, Mr. *Peter Blaickborure*, Mr. *George Gladstaves*, and Mr. *James Nicholson* for the North parts ; Mr. *James Melvill*, Mr. *Thomas Buchannan*, Mr. *Alexander Lindesey*, and Mr. *William Striveling* for the middle part of the Countrey ; Mr. *John Clapperton*, Mr. *John Knox*, Mr. *George Ramsey*, and Mr. *James Carmichael* for the South ; and for the West Mr. *John Howson*, Mr. *Andrew Knox*, *John Porterfield*, and Mr. *Robert Wilkie*. Their attendance was ordained to be monethly, and to begin in *November*. At which time Mr. *James Nicholson*, Mr. *James Melvill*, Mr. *Andrew Knox*, Mr. *John Howson*, and Mr. *George Ramsey* were appointed to wait : Mr. *Robert Bruce*, Mr. *Robert Pont*, Mr. *David Lindesey*, Mr. *James Balfour*, Mr. *Patrick Gallaway*, and Mr. *Walter Balcanquell* observing ordinarily all the meeting.

These Conventions were by a new name called, *the Councell of the Church*, and appointed to be kept once every day at least for taking advice in every business that occurred by direction of this Councell. Lord *Alexander Seaton* President of the Session, was called before the Synod of *Lothian* for keeping intelligence with the Earl of *Huntley*, and by them remitted back to that Councell ; before whom, with many attestations, he purged himself of any dealing with *Huntley*, or any of the Papist Lords, and upon promise not imploy his credit that way was dimitted.

The King suspecting their beginnings should end in some trouble, but not like to fall in contrary terms with the Church, if by any means the same could be eschewed, commanded the President, Secretary, Advocate, and Laird of *Colluthie* to conferre with the most moderate of the Ministry, and use their best means for satisfying them touching the return of the forfeited Lords. Mr. *David Lindesey*, Mr. *Patrick Gallaway*, Mr. *James Nicholson*, and Mr. *James Melvill* being sent for to this Conference were desired to give their opinions, “ Whether or not, due satisfaction being made to the Church by the Lords ( for otherwise the King did not mean to shew them any favour ) they might be pardoned and restored to their estates. The Ministers answered, *They came only to hear what was proponed and in a matter of that importance could say nothing unacquainting their brethren*. The Conference was delayed till afternoon. At which time returning they said, *That the brethren were glad of the respect carried by his Majesty to the Church ; and that his resolution was to give no favour to those Rebels till the Church was first satisfied. But in their judgments they having by Gods law deserved death, and being by the most sovereign Court of the Kingdome sentenced to have lost their estates, they could not be lawfully pardoned nor restored. And if the King and his Councell would take on them to doe it, they had God and the Countrey to answer unto ; but for them they would give no assent, but protest to the contrary that they were free thereof before God and man*.

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This answer seeming rather to proceed of passion then any good zeal ; it was next urged, “ Whether upon their humble, and submisſe ſuite to be reconciled, the Church could not deny to receive them, it being commonly held ; that the bo- ſome of the Church ſhould ever be patent to repenting ſinners. They answered, *That the Church indeed could not reſuſe their ſatisfaction, if it were truly offered ; nevertheleſſe the King ſtood obliged to doe juſtice.* When by no reaſoning they could be wrought from theſe extremities, the Conference brake off, and the effects thereof being reported to the King, he was greatly commoved, inveighing againſt Miniſters at his table, in Councell, and every where. The wiſer ſort that foreſaw the ill effects this rancour would breed, adviſed the Miniſters to ſend ſome of their number, to underſtand what it was that did offend the King, and offer all ſatisfaction on their parts, withall to lay open their grievances, and in humble manner entreat a redreſs of the things which they eſteemed hurtfull.

Herein the ſame Brethren being employed they found the Kings answers more biting, and peremptory then they expected ; for being deſired to ſhew what it was that made his Maſteſty ſo offended with the Church, and profeſſing to amend it ſo farre as lay in them ; he ſaid, *There could be no agreement ſo long as the marches of the two Jurisdictions were not diſtinguiſhed ; that in their preachings they did cenſure the affaires of the Eſtate and Councell ; convocate Generall Aſſemblies without his liſenſe ; conclude what they thought good, not once deſiring his allowance and approbation ; and in their Synods, Presbyteries, and particular Sefſions, meddle with every thing upon colour of ſcandall ; beſides divers other diſorders which at another time he would propound, and have reformed ; otherwiſe it was vain to think of any agreement, or that the ſame being made, could ſtand and continue any while.*

The Miniſters not willing to dip in theſe matters, after they had in ſober manner replied to each of theſe points, fell to ſpeak of their own grievances : as firſt the favour granted to the Popiſh Lords in the late Conventions at Falkland, and Dunfermlin, the countenance given to the Lady Huntley, and her invitation to the Baptiſme of the Princeſſe, the putting her in the hands of the Lady Levingſton, an avowed and obſtinate Papiſt ; and which grieved them more then any thing elſe, the alienation of his Maſteſties heart from the Miniſters, as appeared by all his ſpeeches publick and private. To this laſt the King did firſt reply, ſaying, *That they had given him too juſt cauſe by their railing againſt him, and his proceedings in their Sermons. for the Popiſh Lords, he had granted nothing to them, but what the Eſtate had found needfull for the peace and quiet of the Realm.* As to the Lady Huntley, he eſteemed her a good diſcreet Lady and worthy of his countenance ; and that ſhe was a Papiſt they might blame themſelves, who had never taken care to enſorm her of the truth. Laſtly, for his Daughter the Princeſſe, he had truſted her to the Lord Levingſton, a Nobleman known to be of good Religion, and not to his Lady who ſhould not be ſuffered to take any care of her, unleſſe ſhe conformed in point of Religion.

Whiſt things thus paſt betwixt the King and the Church, a new occaſion of trouble was preſented by M. David Blake one of the Miniſters of S. Andrews, who had in one of his Sermons caſt forth divers ſpeeches full of ſpight againſt the King, the Queen, the Lords of Councell and Seſſion, and amongſt the reſt, had called the Queen of England, an Atheiſt, a woman of no Religion. This being dilated to the Engliſh Ambaſſadour he complained to the King, and thereupon was Mr. David Blake cited to appear before the Councell the 10 of November. Mr. Andrew Melvill accompanying him to Edinburgh did labour to make this a common cauſe, giving out that the ſame was done onely for a preparative againſt the Miniſters to bring their Doctrin under the cenſure and controlement of the King and Councell ; and ſo farre he prevailed with the Commiſſioners of the Church, as they ſent certain of their number to intreat the deſerting of the Diet, ſaying, *It would be ill taken to draw Miniſters in queſtion upon trifling delations, when as the enemies of the truth were ſpared, and overſeen.* The King ſome daies before, had publiſhed the Conditions upon which he was to grant a Protection to Huntley, and asking thoſe Commiſſioners, if they had ſeen the Conditions, ſaid, *That both he and the reſt ſhould either ſatisfie the Church in every point, or be purſued with all extremity, ſo as they ſhould have*

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The King offended with the pertinacy of the Miniſters.

Commiffioners directed to his Maſteſty.

His Maſteſties peremptory answer to the Commiſſioners.

The grievances of the Church propounded.

The King his answer.

A new trouble by Mr. David Blake, a Miniſter at S. Andrews.

Mr. Andrew Melvill labouring to make it a common cauſe.



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have no reason to complain of the oversight of Papists. For Master *Blake* he said he did not think much of that matter, onely they should cause him appear and take some course for pacifying the *English Ambassadour*. But take heed, said the King, that you doe not decline the judicatory; for if you doe, it will be worse then any thing yet fallen out.

Now the Conditions proponed to *Huntley* were, as followeth,

The Conditions  
proponed  
to *Huntley*.

That he should give sufficient and reasonable caution of Inland-men and landed Barons, to the number of sixteen at least, who should be acted in the Books of Councell, under the pain of forty thousand pounds (each two of the Cautioners conjunctly and severally for five thousand pounds of the said summe) that he should faithfully observe and fulfill the whole Articles undermentioned, and every one of them, as first, that betwixt and the first day of *April* next to come, he should either satisfie the Church for his Apostasie, and return to the bosome thereof in uniformity of Religion, or before the expiring of the said time depart again forth of the Countrey, and not return again without his Majesties license.

2 Next, that during the said space, he should not receive in his company any Jesuit, Masse-priests, or excommunicate Papists, nor have any dealing, communication, or intelligence with them, especially with his Uncle Mr. *James Gordon*, nor suffer his Children, in case any be brought forth in the mean time, to be baptized by another then a Minister.

3 That so long as he remained in the Countrey, as likewise in case of his departing at the time aforesaid, he should not traffick with any stranger or others whomsoever for alteration of the true Religion, or disquieting the state of the Countrey in any sort.

4 That his former Cautioners should remain obliged, in case after lawfull triall it should be found that since his last departing he had trafficked with strangers for subversion of Religion or the alteration of the State, in the summes for which they were bound.

5 That he should presently enter his person in ward within such a place as his Majesty should appoint.

6 That within fifteen daies next he should enter his eldest Son and apparent Heir as a Hostage to his Majesty for observing the Articles before and after mentioned, and that his said Son should abide in such company, ward, or Castle, as his Majesty should appoint, where most conveniently he might be instructed in the true Religion, and not escape by his Fathers knowledge or assistance.

Lastly, that he should compeer personally before the Councell whensoever he should be called upon fifteen daies warning, for trying the contravention of any of the Articles above expressed: providing the cause for which he should be charged were expressed in the Letters, and warrant given him, that he should not be challenged for any other fact done before his last passing forth of *Scotland*.

The Conditions  
give no  
content.

These Articles the King caused to be imprinted, that all men might see he meant not to bestow any favour either upon him or the rest, unlesse they joyned themselves to the Religion publickly professed, yet this served not to stop the mouths of people, nor did it remove the jealousy of the Preachers, who were daily complaining, "That Papists were favoured, the Ministers troubled for the free rebuke of sin, and the scepter of *Christs* kingdome sought to be overthrown. The proceffe, they said, intended against Mr. *Blake* was but a policy to divert the Ministers from prosecuting their suite against the Popish Earls; and if he should submit his Doctrine to the triall of the Councell, the liberties of the Church and spirituall government of the house of God, would be quite subverted. In any case therefore they concluded, that a Declinator should be used, and protestation made against these proceedings. This was held a dangerous course, and earnestly dissuaded by some few, but they were cried down by the greater number, that said it was the cause of God, whereunto it concerned them to stand at all hazard. So a Declinator was formed and given Mr. *Blake* to present, bearing this in substance:

A Declinator  
advised to be  
droponed.

That



“That howbeit the conscience of his innocency did uphold him sufficiently against the calumnies of whomsoever, and that he was ready to defend the doctrine uttered by him, whether in opening the words, or in application; yet seeing he was brought thither to be judged by his Majesty and Councell for his doctrine, and that his answering to the pretended accusation, might import a prejudice to the liberties of the Church, and be taken for an acknowledgement of his Majesties jurisdiction in matters meerly spiritual, he was constrained in all humility to decline that Judicatory for the reasons following: First, because the Lord *Iesus*, of whom he had the grace of his calling, had given him (albeit unworthy of the honour to bear his name) his Word for a rule, to his preaching, and that he could not fall in the reverence of any Civill law, but in so farre as he should be tried to have passed his instructions, which trial belonged onely to the Prophets and Pastors, the spirits of the Prophets being subject to them alone; for as first it must be declared whether he had kept his instruction or not.

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M. David Blake  
his Declinatour.

“2 In regard the liberty of the Church, and discipline presently exercised was confirmed by divers Acts of Parliament, and the office-bearers thereof peaceably possessed therein, particularly in the judicatory of the word preached, (as was clear by divers late examples) he ought to be remitted for his preaching to the Ecclesiastick Senate, as his competent Judge, in the first instance. For which and for other weighty considerations, and namely for eschewing the inconveniencies that might fall to Religion, and his Majesties own estate, by the appearance of distraction and alienation of his Majesties mind from the Ministry and the cause of God in their hands; he for himself, and in name of the Commissioners of the general Assembly, who had subscribed the same Declinatour, did humbly beseech his Majesty not to infringe the liberty of the Church, but rather manifest his care in maintaining the same.

When the Diet came, and the summons were read, being desired to answer, he said, That albeit he might object against the citation, the same being directed *super inquirendis*, contrary to the form prescribed by Parliament, and no particular specified therein; yet he would take him to the usuall remedy of law, and desire to be remitted to his own Ordinary. Being asked whom he meant? he answered, the Presbytery, where the doctrine was taught. The King then replying that the matter laid to his charge was Civill, and that the generality of the summons was restricted to the particular letter produced by the *English* Ambassador; he said, *That the speeches wherewith he was charged being uttered in pulpit, must be judged by the Church, In prima instantia.* Again being inquired whether the King might not judge matters of Treason, as well as the Church did matters of Heresie? he said, *That speeches delivered in pulpit, albeit alledged to be treasonable, could not be judged by the King till the Church took first cognition thereof;* but that he was not come thither to solve questions, and so presented the Declinatour. The King notwithstanding that he was greatly offended, (because the day appointed for the baptisme of the Princess was approaching) continued all further proceeding to the last of *November*.

M. Blakes answer  
to the Diet.

Mean while had the Commissioners for the Church sent a copy of M. Blakes declinatour with a letter to all the Presbyteries requiring them for the greater corroboration of their doings to subscribe the same, and to commend the cause in hand in their private and publick prayers to God, using their best credit with their flocks, and employing all their labours for the maintainance thereof. The King being mightily incensed with this doing as tending to a direct mutiny, and the stirring up of the subjects to rebellion, gave forth a Proclamation, wherein he said,

The Declinatour  
sent to the Presbyteries  
to be subscribed.

*That certain persons of the Ministry, abiding in the town of Edinburgh, had of long time continued together devising plots prejudiciall to his Majesties authority, and usurping a power over their brethren, had directed letters for subscribing a Declinatour formed, and already subscribed by themselves, requiring them with the return of their subscriptions to send some of their number to assist their proceedings as though they were not subjects, and that the King had no power, nor authority over them, intending, as appeared by convocations and the like tumultuous forms, to break the peace, and make an insurrection in the Countrey; whereas no care in the meantime was taken of their flocks, but the same left*

A Proclamation  
discharging the  
meeting of the  
Commissioners



An. 1596. *comfortless and destitute of the preaching of the word, all which they coloured with a generall Commission alledged to be given by the last generall assembly, albeit there was no such Commission; that which he produced, containing only a power to consult, and report, and not to set down Acts, or exercise any jurisdiction: and granting that such a Commission had been given, the same could not be lawfull, as given without the consent and approbation of his Majesties Commissioners who were present at the time. Therefore to prevent the disorders and confusion which therethrough might arise, his Highness with the advice of the Councell, discharged the said Commission, as unlawful in it self, and more unlawfully executed by the said Commissioners; commanding the persons under written, namely, M. Andrew Melvill, M. James Melvill, M. John Davidfon, M. Nicoll Dalgleish, M. James Nicolson, M. James Carmichaell and John Clapperton, to depart home to their severall flocks within 24 hours, after the charge, and to attend upon the lawfull discharge of their callings, and no ways to return for keeping such unlawfull convocations either within the said burgh or without, under the pain of Rebellion.*

The Commissioners of the Church upon this discharge enter into a new consultation.

They sent a Commission to the *Ostavi-ans*.

Commissioners sent to his Majesty for surceasing M. Blakes process.

His Majesties offer to the Commissioners.

The wiser sort of the Ministers advise to accept of the offer, but they are over-ruled.

The Commissioners upon information that such a charge was directed fell to consult what course they should take; and first they resolved, "That since they were convened by the warrant of Christ, in a most needfull and dangerous time to see unto the good of the Church, *Et ne quid Ecclesia detrimenti caperet*, they should obey God rather than man; and notwithstanding of any charge that should be given, continue together so long as conveniently they might, and in the mean time send some of the number to the *Ostavi-ans* (this was the title commonly given to those eight Counsellors that were trusted with all affairs) to advertise them, that seeing the Church at their entry to their places enjoyed a full peace and liberty, and that now it was cast into great troubles, and the enemies of the truth spared, and overlooked, they could not but think that all this proceeded from their counsells; and therefore whatsoever the event should be, the Church would take her self to them, and they onely should bear the blame. The President answering in choler said, "That these controversies were begun without their advice, & so they should end; that for their good service they had reaped small thanks, and drawn upon themselves much envy, and therefore would have no meddling in that business betwixt the King & them, but leave it to him & his Nobility.

This answer put them to a second advice, and thinking they were mistaken and that these Commissioners were not in the fault, but that all proceeded from the King himself, they sent M. David Lindesay, M. Robert Rollock, M. James Nicolson and James Melvill, to declare unto his Majesty the great inconveniencies that were like to arise upon this hard dealing with the Church, and humbly intreat a surcease of the Process intended against M. David Blake, and that all other controversies might be left off till some order was taken with the Papists, and an Assembly convoked for deciding these questions to his Highness content. The King answered, "That it was not his fault, and that he was no less displeased then they were with the controversies arisen, and that yet if they would pass from the declinator, or declare at least, that it was not a general, but only a particular declinator, used in the cause of M. David Blake as being a cause of slander, and partaining to the judgement of the Church, he should also pass from the summons and cease his pursuit.

This yeelding offer of the King was by the advice of the wiser sort thought good to be accepted, that there might be an end of contention; For if, said they, we go to try our strength with the King, we shall be found too weak; as yet the Court stands in some awe of the Church, and whilst they are in this conceit, it shall be meet to take the best conditions we can have; for if by our strictness matters go to the worst, our weakness shall soon appear; and thereafter shall the Church be no more feared nor regarded; too great stiffness doth seldom succeed well, and it is often seen, that they who will have all their wills, do lose all in the end. This was the reasoning of the wise and more moderate sort. Others flattering themselves in their preciseness held, That the onely way to prevail, was to stand by their grounds; the cause was Gods, which he would maintain; that worldly powers were not to be feared, and that God had in his hand the hearts of Princes to turn them whither he pleased, whereof in the present business they had seen a proof. The debate held long, and in end by most voices it was concluded that they should



should stand to the Declinator, unless the King would pass from the summons, and remitting the pursuite to the ecclesiasticall Judge make an Act of Councell, that no Minister should be charged for his preaching, at lest before the meeting of the generall Assembly. The King perceiving this offer neglected was in great wrath, and told them who were sent unto him, that he would hearken to no agreement unless they would pass simply from the declinator, and cause M. Blake compeir, and acknowledge the Judicatory; Which being refused, the Proclamation was published, the Commissioners charged to depart forth of the Town, and M. Blake by a new summons cited to the last of November.

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M. Blake cited to the last of November.

The next day being Sunday and the day of the Princes Christening, the same was kept in the Palace of *Halyrudhouse* with great joy and feasting. The English Ambassador did name the Princess *Elizabeth* after the Queen his Mistresse; the Town of *Edinburgh* by the Magistrates assisting as witnesses, such honor did the King unto them. But all that day in the Town Churches were bitter invectives made against the two Proclamations; for besides the charge given the Commissioners to leave the Town, by another Proclamation the Barons, Gentlemen, and all other subjects were discharged to convene with the Ministry, either in Presbyteries, or Synods, or any other Ecclesiasticall meetings under whatsoever colour or pretence, without his Majesties licence. These things were mightily aggravated by the preachers, and the people exceedingly stirred, at which the King more and more offending, he resolved to keep the Diet assigned for M. Blakes appearing in the Councell house of *Edinburgh*, accompanied with his Nobles, that were present at the Baptism.

The Baptisme of the Princess Elizabeth.

The Commissioners advertised of this (for all that time some Gentlemen of the Chamber in hatred of the *Octavians*, gave intelligence of every thing that was intended) did form a Petition, to be presented to his Majesty and the Noblemen, consisting of three heads. "First, they entreated the King, that seeing the decision of such thorny and intricate questions as was moved at that time to the trouble of the Church, could work no good, and was subtilly urged, onely to ingender a dissension between his Majesty and the Ministers, he would be pleased to remit the determination thereof to a lawfull Assembly, and not to incroach upon the limits of Christs Kingdom upon any pretence, bending his actions according to the present necessity, against the common enemies of Religion and State. Next, they exhorted the Noblemen to give his Majesty a free and faithfull counsell in that business; and as to the honour of God, and their own just praise they had kept themselves free both in counsell, and action from working any prejudice to the liberty of the Gospell, so they would not suffer themselves to be drawn at that time under the guiltiness of so great a sin, by the craft of those who were subtilly seeking the thralldom of the Gospell, and thought to make their honors the executors of their malicious devices. And thereby that by their credit they would procure a continuation of all controversies unto a free and lawfull Assembly, where the same might be gravely reasoned, and concluded. This Petition was given to M. David *Lindesay*, M. Robert *Bruce*, and M. Robert *Rollock*, to be presented, and if the same was refused they were enjoined to protest against the proceeding of the Councell.

A Petition presented by the Commissioners to his Majesty and Councell.

The King receiving this Petition, after he had overviewed it did reject the same as not worthy of answer, commanding to call M. Blake, and read the summons. Therein he was charged, First, to have affirmed in Pulpit that the *Papish Lords* were returned into the Countrey with his Majesties knowledge, and upon his assurance, and said that in so doing he had detected the treachery of his heart. Secondly, that he had called all Kings the *Divels Barons*, adding that the Divell was in the Court and in the guiders of it. Thirdly, in his prayer for the Queen, he had used these words, *We must pray for her for the fashion, but we have no cause, she will never do us good.* Fourthly, that he had called the *Queen of England*, an *Atheist*. Fifthly, that he had discussed a suspension granted by the Lords of Session in Pulpit, and called them *miscreants* and *bribers*. Sixthly, that speaking of the Nobility, he said they were *degenerated*, *Godless*, *dissemblers*, and *enemies to the Church*; likewise speaking of the

The Petition rejected.

The points laid to M. Blakes charge.



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*Councell* that he had called them *Holliglasses, Cormorants & men of no Religion*. Lastly, that he had convocated divers Noble men, Barons & others within *S. Andrews* in the month of *June 1594.* caused them take arms, & divide themselves in Troops of horse & foot, & had thereby usurped the power of the King and Civill Magistrate.

Mr. Robert  
Pont protesteth  
for the liberties  
of the Church.

After reading of the summons *Mr. Robert Pont* protested, that the proceſſe in hand and whatsoever followed thereof, should not prejudice the libertie of the Church in matters of Doctrine. The king answered, *That he was not to meddle with any matter of doctrine, but to censure the unreasonable speeches of a Minister in sermon, which he and his Councell would judge, except by clear scripture it should be proved, That Ministers were not subject in these cases to his Judicatory.* Thereafter *Mr. Blake* being commanded to answer, said, that all these accusations were false, untrue calumnies, producing two testimonials, one of the Provost Baylies and councell of *St. Andrews*, the other of the Rector, Dean of facultie, Professors and Regents of the Universitie, which he alledged should be preferred to any report whatsoever. Next he said for the first six points, the Lords of the Councell were not competent Judges; the speeches alledged being uttered in pulpit, but the same ought to be censured by the Presbytery, where the Sermon was delivered: And then repeating his former declinator, presented a new one, in substance the same with the first. For the last point he made offer to submit himself to the triall of the King and Councell. Being removed and the Declinatour put to voices, it was found, "That the crimes and accusations contained in the summons were seditious and treasonable, and that his Majesty, his Councell and other Judges substitute by his authority were competent Judges in all matters either criminall or civill, as well to Ministers as to other subjects. This pronounced the witnesses were called and admitted, but their examination was delayed to the next day.

Mr. Blake declineth the  
Councill of  
new.

The Councell  
write the Declinatour.

The Kings  
care to keep  
peace with the  
Church.

After the Councell dissolved, the Prior of *Blantyre* Treasurer and *Alexander Hume* Provost of *Edinburgh* were sent from the King to the Ministers, that notwithstanding of that his proceeding against *Mr. Blake*, hee did not mean to use him with rigour, but if they should move him to come and resolve his Majestie touching the truth of the points libelled, he would rest upon his own declaration, and send him back to his charge: so carefull was the King of peace, and so desirous to be in good termes with the Church. Night was then fallen, and the Commissioners gone to their lodgings, yet finding *Mr. Robert Bruce*, *Mr. Robert Rollock*, *Mr. James Nicolson* and *Mr. James Melvill* together, they declared what they had in Commission to have declared to the whole number. *Mr. Robert Bruce* answering in the name of the rest, said, *That if the matter did touch Mr. Blake alone the offer might be accepted, but the libertie of Christs kingdome had received such a wound by the Proclamations published the Saterday preceeding and that Day by the usurpation of the spirituall Judicatorie, as if Mr. Blakes life and the lives of twentie others had been taken, it would not have grieved the hearts of good brethren so much, as these injurious proceedings had done; and that either these things behoooved to bee retreated, or they would oppose so long as they had breath.*

The King  
conferreth with  
some Ministers  
touching  
Mr. Blakes business.

This answer reported, the King the next morning called some two or three of the Ministers unto him, did confer with them a long space, shewing that he was so farre from impairing the Spirituall Jurisdiction or abridging any of the Church Liberties, as he would not only maintain them in what they enjoyed, but would enlarge and amplifie the same, when he saw it to be for their good; But this licentious Discoursing, said he, of affaires of state in Pulpit can not be tolerated. My claime is only to Judge in matters of sedition and other civill and criminall causes, and of speeches that may import such crimes, wheresoever they be uttered; for that the Pulpit should be a place privileged, and under colour of Doctrine People stirred to sedition, no good man I thinke will allow. If treason and sedition be crimes punishable when they are committed, much more if they be committed in the Pulpit, where the word of truth should only be taught and heard. One of the Ministers answering, that they did not plead for the priviledge of the place, but to the respect that was due to the message and Commission they carried, which having received from God, the same ought not to be controlled in any civill Judicature. „ Would you keep you to your message, said the King, there would „ be no strife; but I trust your message be not to rule estates, and when courses dis-

„ like



“ like you to stirre the people to sedition; and make your King and those that rule  
 “ under him odious by your railings and outcries. If any doe so, said the Minister,  
 and be tried to have passed the bounds, it is reason he be punished with all extremi-  
 tie, but this must bee cognosced by the Church. “ And shall not I, *said the King*,  
 “ have power to call and punish a Minister that breaketh out in treasonable spee-  
 “ ches, but must come to your presbyterie and be a complainer? I have good proof  
 “ in the proesse with *Gibson and Rosse*, what justice you will doe me: and were it in  
 “ a doubtfull and ambiguous case. where by any colour the speeches might be justi-  
 “ fied, it were some way favourable to say that the Minister should be called and  
 “ convict by his brethren; but as in the present action with *M. Blake*, who hath  
 said, *The treachery of the Kings heart is discovered; all Kings are the Devils Barns*,  
 “ &c. who sees not the man hath passed his bounds, and not kept him to his  
 “ message? I am not ignorant what agitations *France* of late, and *England* in for-  
 “ mer times, hath suffered by the violence of such spirits, and I have been in my  
 “ time reasonably exercised with them, and ye must not think that I will tolerate  
 “ such licentiousness. As for any lawfull power or liberty, ye or your Assemblies  
 “ have granted either by the word of God, or by the laws of the kingdom, I mean  
 “ not to diminish the same; and if ye think meet, I will publish so much by a De-  
 “ claration for satisfying you, and all other my subjects.

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With this the Ministers were dimitted, who having related the conference they  
 had with his Majesty to the rest of their brethren, it was agreed in regard of the ma-  
 ny inconveniencies which might ensue upon these distractions betwixt his Majesty  
 and the Church, that if they could obtain a Declaration in Councell that by the  
 Acts and Proclamations published his Majesty did not intend to discharge any  
 Church Assembly, nor to annull any conclusion thereof, but that the same should  
 stand in force as they had been in use by the warrant of the word and approbation  
 of his Highness laws; and that the discharge of Barons and Gentlemen to convene  
 with the Ministers, was not extended to any Ecclesiasticall conventions, but onely  
 meant of their convening in Arms, matters should be passed over for the present;  
 the interloquutor in *M. Blakes* business not being used against him, nor any other  
 Minister unto a lawfull generall Assembly, wherein the question concerning the  
 limits of the Civill and the Spirituall Jurisdiction might be reasoned and defined.

The Ministers  
 desire a decla-  
 ration to be  
 made in favou-  
 of Church  
 Assemblies.

This being propounded the King assented to the Declaration craved, offering  
 further to delete the Acts whereupon the Proclamations were founded. And for  
*M. Blake*, he was content that he should be brought to his presence, and declaring  
 upon his conscience the truth of the points libelled, in the hearing of *M. David Lin-*  
*desay*, *M. James Nicolson*, and *M. Thomas Buchannan*, they three should have power  
 to determine what they thought meet. The business was now thought to be at an  
 end, but in the afternoon by the suggestion, as it was supposed, of the President, the  
 King would have *M. Blake* to come before the Councell and acknowledge his of-  
 fence to the Queen; which done he should be pardoned of all. This *M. Blake* re-  
 fused; saying, he would neither condemn himself, nor approve the proceedings of the  
 Councell, who have taken upon them to judge of his Sermons, had admitted a sort  
 of ignorant, and partially affected people to be witnesses against him, rejecting the  
 testimonies of the Town and University. When by no perswasion he could be  
 moved unto it, the King went to Councell, and the same day, it being the second  
 of *December*, caused read the deposition of the witnesses, who did clearly testify that  
 all the speeches libelled were uttered by *M. Blake* in Pulpit. Thereupon sentence  
 was given that he had falsely slandered, and treasonably calumniated the Kings  
 Majesty, his bedfellow the Queen, his neighbour Princess the Queen of *England*, the  
 Lords of his Highness Councell and Session, and therefore (his punishment being re-  
 mitted to the King) it was ordained, that till his Majesties pleasure should be decla-  
 red, he should be confined beyond the North water, and enter to his ward within six  
 days.

His Majestie  
 consenteth to  
 the Declara-  
 tion.

*Mr. Blake* re-  
 fuseth to ac-  
 knowledg his  
 offence to the  
 Queen.

The witnesses  
 examined, and  
*Mr. Blake*  
 found guilty.

Notwithstanding of this Sentence the day following a new Treaty began, which  
 continued some ten daies, and was like to have produced an agreement, for the King  
 was content, as before, to delete the Acts of Councell at which the Ministers took

A new treaty  
 for making an  
 accord.



An. 1596.



Conditions  
craved by his  
Majesty.

The Commis-  
sioners refuse  
to agree to any  
censure of  
M. Blake.

The Ministers  
indict a fast,  
and complain  
of wrong done  
to the king-  
dom of Christ.

His Majesties  
Declaration  
published.

A Bond of o-  
bedience sub-  
scribed by the  
Ministers.

Master Blake  
charged to go  
to his ward,  
and the Com-  
missioners to  
leave the  
Town.  
A new motion  
of agreement  
overthrown by  
the practise of  
some of his  
Majesties  
Chamber.

offence, by writing on the margent of the book according to the custome of deleting, *This matter is agreed, and the Act delete.* He was likewise pleased to mend the Narrative of the Proclamation, turning that upon the *Papists* and enemies of Religion, that was said of *Ministers*; and for Mr. *Blakes* businesse, was content that the Interloquutor pronounced should not be made a preparative against any other Minister, and that none should be called upon their preaching before the Councell, till it was found in a lawfull Assembly, that the King might judge of those that passed their bounds in Doctrine; Provided he might in the mean time be assured of the good behaviour of the Ministers, and that they should not speak unreverently of him, or of his Councell, which assurance he would have in writing. Some punishment also he would have afflicted on Mr. *Blake*, as either to transport him from *S. Andrews* to another Congregation, or suspend him for a time from his charge: punishments not very rigorous, nor answerable to the quality of the offence.

The Commissioners being herewith advised liked well of all, the last excepted. *A punishment, they said, could not be afflicted where no cognition had proceeded: for as to the triall taken, neither was it done by the proper Judge, nor was that equity observed which ought to have been; witnesses that were under the Censures of the Church, and ill-affected to Mr. Blake, being admitted to depone against him.* This reported to the King, he made offer to name twenty persons, against whom no exception could be alledged, and to give Mr. *Blake* his choice of seven or eight of that number, who should be new examined touching the verity of the speeches whereof he was accused: if they upon their consciences did absolve him, he should rest satisfied, if otherwise, he would crave him to be deposed. But this came to no effect, nor could any overture, albeit divers were proponed, serve to work an accord, so as the communing broke off, and greater displeasures arose on both hands, then afore. For the Commissioners having directed two of the Brethren to shew the King, *That since they could obtain no redresse for the wrongs done unto Christs kingdome, and saw nothing but the enemies of the truth were favoured, and the faithfull Pastors of the Church reviled, and pursued, they could not abstain from opposing these proceedings with the spirituall armour given them by God; and did therefore indict a Fast to be kept the Sunday following, being the 12 day of December, with solemn prayers for averting the judgments which the present courses did threaten.*

The King on the other side, made his displeasure and the scorn he took of these proceedings known by a Declaration, published on the 15 day, wherein he shewed, *That out of a desire he had to keep peace with the Ministers he did condescend to abstain from troubling in any case bygone, untill by a convention of Estates, and a Generall Assembly of the Ministry the difference between the Civill and Ecclesiasticall judgments might be removed; providing they should promise not to disgrace him and his proceedings in their Sermons, which he was in hope to obtain by sundry Conferences and meetings that he had kept with some of them, till at last publicly they had opposed themselves in Pulpit by approving the doings of Mr. David Blake accusing himself of persecution, and falsely suggesting to the people that all Church Assemblies were discharged; whereas his resolution was, and is to maintain Religion and the Church discipline established by law, and to suffer nothing to be done in prejudice thereof by whomsoever: which his Highnesse thought good to make known to all his subjects, ordaining all Ministers to subscribe their obedience to his Majesty, and set their hands to the bonds which should be presented to them for that effect, under the pain of sequestering their rents & stipends ay and while they gave the obedience required.* The same day was Mr. *Blake* charged to go unto his ward, and the Commissioners of new commanded to remove themselves forth of the Town.

How soon they were gone, the Secretary Mr. *John Lindesey* thinking the Ministers of *Edinburgh* would be more tractable, being left to themselves, did move the King to send for them, and make a fresh Proposition for settling these divisions.

But they refusing to enter in any communing, except the Commissioners were recalled by as publick a Proclamation as that whereby they were discharged; hope was given that the next day the same should be done, and all questions laid over unto their return; which some of the Kings Chamber having understood, and

fearing



fearing if matters were once accorded, the *Ostavians* (against whom they were chiefly set) should continue in their employment; among other reports they informed the King that a mighty watch was kept in *Edinburgh* about the Ministers houses for fear of some violence to be offered unto them; which laid an heavy imputation upon his Majesty, and that the Ministers would never be quiet till these factious people were put forth of the Town. The advice, as truly meant, was hearkned unto, and direction given to some 24 of the Burgeses that were best affected to the Ministers, to depart the Town within the space of six hours. This they knew would be ill taken by the Ministers, and to put them in a greater fear, they did advertise them by a counterfeit Letter to look unto themselves, because *Huntley* had been with the King that night late, and caused that charge to be given. This Letter sent to Mr. *Robert Bruce* was by him communicate to Mr. *Walter Balcanquhall*, whose course it was to preach that morning, and they both apprehending the information to be true, did think it the safest way for themselves to make the people advertised of the danger; so when the hour of Sermon came the Preacher reading his Text out of the book of *Canticles*, which was his ordinary at that time, and taking occasion of the present troubles of the Church; he made a particular relation of the proceedings and *treacherous forms* (so he called them) wherewith they were used by the Court, laying the whole blame upon the President, Controller, and Advocate, whom he particularly named, and used with most reproachfull tearms. Then turning to the Noblemen and Barons, he put them in minde of the zeal which their predecessours had shewed in planting Religion, and exhorted them with the like courage and constancy to maintain the same. Having closed the Sermon with a Prayer, as use is, he requested the Noblemen and Barons to meet in the little Church, for assisting the Ministry with their best advice.

There assembled in the place many people, besides those that were desired, and so great was the throng, as the Ministers could hardly finde entrance. Mr. *Robert Bruce* at last having made way unto himself, went to the table where the Noblemen and Barons were placed, and after a short Prayer, declared in what danger the Church was brought by the return of the Popish Lords; how they had regrated the case to the King, and when they expected that order should have been taken therewith, a new business was moved, and one of their Brethren called in question for his preaching, about which they had been in long conference, but could come to no end; and that now at last the best affected of their people were charged to leave the Town, whereby they were brought to suspect some worse practises. They did therefore request them humbly to intercede and intreat his Majesty, that they might be permitted to serve God in their callings without molestation. The desire seemed reasonable: the Lords *Lindesey* and *Forbes*, with the Lairds of *Bargenny* and *Blaquhan*, Mr. *Robert Bruce* and Mr. *William Watson* were chosen to preferre the Petition.

By some occasion the King was that day come to the Session, and being in the Upper House, the Lords with these others were admitted, where Mr. *Robert Bruce* taking the Speech, said, "That they were sent by the Noblemen and Barons convened in the little Church to bemoan the dangers threatned to Religion by the dealing that was against the Ministers and true professours. *What dangers see you,* said the King? "Under communing, said he, our best affected people, that tender Religion, are discharged of the Town; the Lady *Huntley* a professed Papist entertained at Court, and it is suspected that her husband is not farre off. The King leaving that purpose, askt, *who they were that durst convene against his Proclamation.* The Lord *Lindesey* in passion replied, *That they durst doe more then so, and that they would not suffer Religion to be overthrown.* Numbers of people were at this time thronging unmannerly into the room: whereupon the King not making any answer arose, and went down to the Lower House where the Judges doe sit, commanding the doors to be shut. They that were sent returning to the Church shew that they were not heard, nor was there any hope, so long as the Counsellours remained about the King, that they should receive any favourable answer, and were therefore to think of some other course.

An. 1596.



The Ministers deluded by a counterfeit Letter.

M. *Walter Balcanquhall* in his Sermon inveigheth against the Counsellors.

He exhorteth the Noblemen and Barons to a meeting.

A Petition directed to the King from the meeting.

Mr. *R. Bruce* his Speech to those that convened.

The King offended with the meeting.

The L<sup>d</sup> *Lindesey* his insolent words to the King.



An, 1596.

A tumult rais-  
ed in the  
Church and  
City.

A Deacon of  
the Crafts ap-  
peareth the  
fury of the  
people.

Noble men di-  
rected from the  
King to in-  
quire the cause  
of the tumult.

The Ministers  
purge them-  
selves.

A new Petition  
moved to the  
King.

The Kings an-  
swer to the Pe-  
titions proponed

No course, said the Lord *Lindesay*, but one, let us stay together that are here, and promise to take one part, and advertise our friends and the favourers of Religion to come unto us; for it shall be either theirs or ours. Upon these speeches followed such a clamor, and lifting up of hands, as none could hear what another spake. The sedition increasing, some cried to Arme, others to bring out *Haman*, (for whilst the Lords were with the King, M. *Michael Cranstone* Minister of *Cramond* had been reading to the people that story) others cried, *The sword of the Lord, and of Gideon*: and so great was the fury of people, as if one of the Deacons of Crafts-called *John Wat*, had not kept them back, with a guard of Crafts men that followed him, they had undoubtedly forced the doors, and wrought some mischief. Sir *Alexander Hume* Provost of the Town, was then lying sick, yet being told what a tumult was raised, he came to the street, and as he was wise and skilfull in handling the people, with his fair speeches brought them after a little time to lay down their weapons and retire to their lodgings.

The commotion thus raised, the King directed the Earl of *Marre*, the Lord *Pittenweem* and Laird of *Traquair* to confer with the Ministers, and ask the cause of the tumult. They were then walking at the back of the Church, (for the tumult had scattered the meeting) and professing a great dislike of that which had happened, besought the Noble men to shew the King, that they were not in fault, and had done their best to appease the multitude. The cause, they said, to their conjecture was, that his Majesty refused to hear their Petition, which they knew came not from himself but of others. The Earl of *Marre* replied, that any reasonable Petition would be heard and answered, being preferred in a dutifull manner; wherefore they should do wisely to go together and supplicate his Majesty for remedy of these things wherein they were grieved. Whereupon they returned to the little Church, and after a short deliberation, sent the Lord *Forbes*, the Laird of *Bargenny* and M. *Robert Rollock* with these Petitions. "First, that all which have been done in prejudice of the Church the last four or five weeks, might be rescinded. Next, that in the things that concerned the Church, the President, Controller and Advocate should have no voice, as being suspected in Religion, and opposite enemies to the Church. Thirdly, that the Citizens of *Edinburgh* who were charged to leave the Town, might be permitted to stay at home, upon surety to appear whensoever they were called. The King answered very calmly, *That his doings had been greatly mistaken by the Ministers, and that as these controversies were moved against his will, so he wished nothing more then to have them quietly seiled. But that it could not stand with his honour to rescind so hastily the conclusions taken in Councell, nor to remove Counsellors from their places upon naked suspicions, except somewhat could be verified that might disable them.* At afternoon he should call the Councell and satisfy them in every thing, which with reason they could desire. For the Citizens, he said, that the supplications made in their behalf, would come better from the Provost and Baylifs of the Town, and the same upon their Petition should be granted. With these answers the Lord *Forbes* and the rest returned; and with them the Lord *Ochiltry*, and Laird of *Cesford* were sent by the King to desire them to put their Petitions in reasonable terms, and await on the Councell at two of the clock. Matters thus quieted, the King with the Lords went down the street peaceably to his palace.

At afternoon the Noblemen, and Barons assembling with the Ministry, after long reasoning did condescend upon the supplication and Articles following.

Articles con-  
descended upon  
to be proponed  
to his Majesty.

"In most humble manner, we the Noblemen, Barons, Gentlemen, Burgeses and Ministers, this day by the mercy of God convened, do beseech your Majesty to apprehend the great danger wherein the state of Religion, Common-wealth and your Majesties own honour and person are brought, by the means of crafty and deceitfull Counsellours, who respecting onely their own preferment and standing, labour to file your Majesties eyes that you should not perceive their courses: for albeit it hath pleased God to endue your Majesty with knowledge, wisdom and graces, beyond all Princes that have ruled this kingdome at any time, yet it is no strange thing to behold good Kings brought upon ill courses,  
by



“ by the devices of such as pretend love, but in very deed hate them maliciously. *An. 1596.*  
 “ That such courses are now in hand, please your Majesty to consider what a division is made and entertained between your Majesty, and the Church, who was  
 “ ever to this time inseparably joyned; and how under colorable pretexts the liberty  
 “ of preaching and faithfully applying of the word, is sought to be restrained and  
 “ taken away, which cannot but bring many evils and inconveniencies with it, as  
 “ this days tumult may partly teach. And now seeing, blessed be God, the same  
 “ is settled without the harm of any person, for preventing the like, or worse, we  
 “ humbly desire the Articles following to be weighed and considered by your Majesty.

“ 1 That professed Papists, proessed by the Church, be not suffered to reside at  
 “ Court, and that the Lady *Huntley* and Lord *Saunbar* be removed and sent  
 “ home.

“ 2 That *Alexander Seaton* President, Mr. *Thomas Hamilton* Advocate, and  
 “ Mr. *James Elphinston* be not admitted to sit in Councill, at least when the cause  
 “ of Religion, and matters of the Church are treated, seeing they are enemies to  
 “ the quietness thereof, and have by their devices raised the troubles that presently do vex the same.

“ 3 That the Acts of Council, Proclamations, Decrees, and Interloquutors passed  
 “ in prejudice of the Church and Ministers these last five weeks, be rescinded and  
 “ annulled.

“ 4 That the Commissioners of the Church be recalled by Proclamation, and  
 “ the Burgeses of the Town permitted to remain and attend their callings.

“ 5 That the bond advised by the foresaid enemies, to be subscribed by all the  
 “ Ministers under the pain of losing their Benefices and stipends, be discharged, seeing the same is prejudicial to the Gospel, and that Commission, as use is, to  
 “ modify stipends, for the present year.

“ Lastly, that an Act of Councill be made allowing the proceedings of the  
 “ Church, and the concurrencie given them by the Noblemen, Barons and others  
 “ in the present action.

It was late and the night fallen before these Articles were put in form, the day being then at the shortest, the persons chosen to present them, were the Lairds of *Bargenny*, *Pittarrow*, *Faudonside*, Mr. *David Lindesay*, and Mr. *Robert Rollock*. Before their coming the Councill had concluded not to receive the Petitions, as was promised, and to commit those that did present them, yet doubtful what might be the event thereof, it was thought fitter to terrifie them from presenting the same; for this effect the Lord *Ochiltry* was appointed to meet them at the utter gate, who drawing *Bargenny* aside advised him to go back, because of the anger which the King had conceived, and to meddle no more in that business; for the King he said knew he was brought upon it unwillingly, and would excuse his part, if he went no further. *Bargenny* forthinking his employment and not knowing how to colour it to his associates, the Lord *Ochiltry* drew them aside, and said that he had brought the Laird of *Bargenny* to the Town for affairs that did neerly touch him, and that he did not think to meet with such business at his coming, therefore desired them to have his friend excused for that time; and seeing they were a number sufficient to doe the errand they might goe to it, or if they pleased to delay the same to the next morrow, he should be with them. They answered, that they were also little foreseen at their coming of those matters as he was, and seeing they were all joyned in one Commission, if he was the principall did decline it, they could doe nothing by themselves; and so the business was left for that night.

The Commissioners chused to present the Articles.

*Bargenny* declined the charge the business ceaseth.

In the morning early the King and Councill departed to *Linlithgow*, leaving a Proclamation which was presently published at the Market Cross of *Edinburgh*, of this Tenor. “ That the King considering the late treasonable uproar  
 “ moved by certain factious persons of the Ministry of *Edinburgh* (who after  
 “ they had uttered most seditious speeches in Pulpit, did convene a number of  
 “ Noblemen, Barons and others in the little Church and sent some of their  
 “ number to his Majesty being then in the upper house of Session, using him in a  
 “ most

The King with the Councill departed to *Linlithgow*.



An. 1596.

A Proclamation discharging all Judicatories to sit in *Edinburgh*.

“ most irreverent manner and with speeches ill-beseeming any subject. And that  
 “ a multitude of the Townsmen by perswasion of the said Ministry had treason-  
 “ ably put themselves in Armes, intending to bereave his Majesty and his Coun-  
 “ cell of their lives ) did think the said Town an unfit place for the ministrations of  
 “ justice, and had therefore ordained the Lords of Session, the Sheriffs, Commis-  
 “ sioners, and Justice, with their severall members and Deputies to remove them-  
 “ selves forth of the Town of *Edinburgh*, and be in readines to repair unto such  
 “ places as should be appointed; commanding in like sort all Noblemen and Ba-  
 “ rons to dispatch unto their houses, and not to presume to convene either in that  
 “ or any other place without his Majesties licence, under the pain of his Highness  
 “ displeasure.

A great alteration in the mindes of people.

This Proclamation with the Kings suddain departing wrought a great alteration in the mindes of the people. They began then to see their errour, and lookt heavy one upon another; the better sort being in a great perplexity what they should doe, called their Councell together, but could not resolve what course to take: To follow the King and plead for the Town, they could not think any of them would be accepted; (and it being the last day of the week, hardly would any others undertake the employment) so as they saw no way but to be quiet till they heard what the King and Councell concluded to doe. But the Ministers persisting in their first resolution laboured to have the Noblemen and Barons remain together, and to send for others well-affected in Religion, who as they thought would joyn in the cause. A Bond to this effect was drawn up, and subscribed by some few. The Councell of the Town excused themselves, saying, Their good will was known, and that they were not to leave their dwellings; which made divers keep back their hands. Alwaies it was thought meet that the Ministers should write to the Lord *Hamilton* and the Laird of *Baclenagh*, of whose assistance they held themselves assured, intreating them to repair to the Town and countenance the cause, as likewise that the rest of the Ministers in the Countrey should be convened as unto a Generall Assembly, and desired to bring with them the best affected Gentlemen within their Parishes.

The excommunication of the President deferred.

They were at the same time in a long deliberation, whether or not they should excommunicate the Lord President and Advocate, which divers urged. The Controller was in some better opinion with them by reason of a Message sent quietly to *M. Rob: Bruce*. But in end they resolved to continue that business to the meeting of the Assembly, when the Sentence might be pronounced with greater authority. Mean while to keep the people in a good disposition, a Fast was proclaimed through the City, and Sermons of preparation ordained to be made that afternoon in all the Churches.

A Fast in the City.

*M. Welch* and his Sermon.

A Minister named *Mr. John Welch* making offer to supply the place in the high Church, was allowed to preach, who taking for his theam, the Epistle sent to the Angel of the Church of *Ephesus*, did rail pitifully against the King, saying, *He was possessed with a Devil; and one Devil being put out seven worse were entred in place. And that the subjects might lawfully rise, and take the sword out of his hand: which he confirmed by the example of a Father that falling in a phrensie might be taken by the Children and servants of the family, and tied hand and foot from doing violence.* A most execrable Doctrine and directly repugnant to holy Scriptures; which yet was taken by many of the hearers, as a sound and free application: so ready are men to flatter themselves in wickedness, and even to justify impiety it self. A rumour was then also dispersed about the Town, that in the day of tumult the Earl of *Arroll* did come to the *Queens ferry* with 500 horse, and was gone back upon report of the stirre. This upon the Sunday took up a great part of the Ministers Sermons, and was brought to justify the multitudes proceedings, as though they had been directed by a secret providence to disappoint the wicked practises that were in hand. A manifest forgery it was, yet believed at the same time by foolish and credulous people.

A rumour dispersed that *Arroll* had some forces assembled.

The copie of the Letter sent to the Lord *Hamilton* shewed to the King.

The Messenger sent to the Lord *Hamilton* was at his coming well received; at first the Nobleman made a shew that he would go for *Edinburgh*, but upon better advice he turned to *Linlithgow*, and taking the copie of the Letter that was sent unto



unto him (for he rendred the principall to the bearer) he shewed the King what an invitation he had from those at *Edinburgh*. The King at sight of the Letter grew exceeding angry, for therein after a short narrative of the injuries the Church had received by the malice of some Counsellors, it was said, That *the people animated by the word, and motion of Gods Spirit had gone to Armes, and that the godly Barons and other Gentlemen that were in Town, had convened themselves and taken on them the patrocinie of the Church, and her cause: only they lacked a Head and speciall Noblemen to countenance the matter, and since with one consent they had made choice of his Lordship, their desire was that he should come to Edinburgh with all convenient diligence, and utter his affection to the good cause, accepting the honour which was offered unto him.*

This Letter endited by Mr. Robert Bruce, and subscribed by him and Mr. Walter Balcanquell, was of all that yet had happened the worst, nor could it receive any good construction; for albeit in an apologie afterwards set forth, it was said to be penned only to please the Nobleman, who was of an ambitious humour; yet put the case he had accepted, and taken before him to be their Head as he was desired, who can tell what mischief might have ensued, and if it might not have turned to the wrack and ruine of many innocents? But faults follow one upon another, and when men have once passed bounds, they run easily into error.

On Munday early, a Charge was directed to the Provost and Bailiffs for imprisoning the Ministers; but they upon some advertisement fled, and went to *Newcastle in England*. The Town the same day sent *John Arnot, Hugh Brown, George Heriot, and John Wat*, to purge themselves of the Tumult, and offer their obedience in every thing his Majesty and Councell should be pleased to enjoyn for repairing the indignity and dishonour done to his Highness; providing they should not be thought guilty of the crime, which from their hearts they detested. But the King would receive no purgation, saying, *That fair and humble words could not excuse such a fault, and that he should come ere it were long, and let them know he was their King.* The next day in Councell, the Tumult was declared to be treason, and the Devisers, Executors, and Partakers to be Traitors, as likewise all that should thereafter partake and assist the committers thereof.

This put the Town in a great fear, neither did they expect any other then an utter ruine. All the Judicatories were removed to *Leth*; the Session ordained to sit at *Perth* after the first of *February*; their Ministers were fled, the Magistrates not regarded; and those of greatest power about the King, their enemies; what they should doe they were doubtfull: after divers opinions given, they are resolved that some should be sent who would be more acceptable, to supplicate the King, and excuse the Towns part for that perhaps would be taken better at other mens hands then any of their own. To this errand none was held so fit, as Mr. *David Lindesey*, Mr. *John Preston*, and Mr. *John Sharpe*, men in favour with the King, and free of all faction.

These coming to the King at *Linlithgow*, after they had shewed the miserable estate of the Town, and how grieved all honest men were for the displeasure he had conceived against them; did beseech him not to use the extremity of rigour, but to put a difference between the innocent and guilty. "In great Towns such as that was, *they said*, there would ever be some bad spirits, and if the insolencies of a rascall multitude should be imputed to the Town, it would be thought hard, specially since the Magistrates had done their duties and repressed the Tumult. "If on their part there had been any connivence, or the smallest appearance that they did favour the sedition, they protested, that they would not have opened their mouths in their favour, but since it was known that none were more offended with the Tumult then they, and that they were carefull to finde out the authors and present them to punishment, they could not but humbly entreat his Majesty to relent his wrath, and to be mitigated towards the Town.

The King after a little pause answered, *That he could not think the Town to be free, for if some of the Principalls had not approved the Multitude in their doings, the Tumult could not have been so great, but howsoever the Magistrates negligence could not be excused, in so farre as they did not prevent the disorder; alwaies his resolution was to proceed*

An. 1596.

This Letter did offend many of the better sort.

A charge for apprehending the Ministers.

The King refuseth the purgation offered by the Town. The Tumult declared treason by act of Councell.

The Town employed others towards the King.

The Proposition made by those that were sent by the Town.

His Majesties answer.



An. 1596.

The King cometh to *Leth* and the next day to *Edinburgh*.

Offers made by the Town for pacifying his Majesties anger.

The effects of the mutiny contrary to that which was intended.

Advice given to raze the Town.

The Queen of Englands letter to the King.

by form of law, and not to use any violent course; but he had appointed the Estates to meet in the same place where the dishonor was done unto him, and would follow their advice both in the triall and punishment. With this answer they were dimitted.

The last of *December*, which was the day preceding the Convention, the King came to *Leth* and stayed there all night, giving order for his entry into the Town the next morning, which was in this manner, The keys of the Town being delivered to one of the Kings Officers, a guard of armed men was placed in the streets, and the Citizens being commanded to stay within their houses and forbidden to carry any weapon. The Earl of *Marre* with the Lord *Seaton* and *Ochiltrie* had the charge of the Town given them, without the admission of the Magistrates; and they having disposed all things in the best fashion, the King accompanied with a great train of Nobles, entered the Town, and riding up the street lighted at the *Tolbuith*; where the Estates were appointed to meet; after some generall discourses of the Tumult, the King was advised to call the Magistrates and hear what they could say in behalf of the Town.

Sir *Alexander Hume* of *North-berwick* Provost, *Roger Matmath*, *George Todrick*, *Patrick Cothran*, and *Alexander Hunter* Bayliffes, with a number of the Town Councill compeiring and falling on their knees, after some few words delivered by the Provost, did present in writing the offers following.

“ That for pacifying his Majesties wrath and satisfying the Lords of Councill, “ they should upon their great oath purge themselves of all foreknowledge and “ partaking in that seditious Tumult. And as already they had made a diligent “ search to find out the authors, so they should not cease till they had brought the “ triall unto the uttermost point; or if his Majesty and Councill doe think any “ others more fit to take the examination, they should willingly resigne their places to such as his Highnes would appoint, and assist them at their power. And “ because his Majesty had taken that Tumult to proceed from certain Sermons “ preached by their Ministers, who were now denounced Rebels, they should promise never to readmit any of those Ministers, unless his Majesty did command “ otherwise. As also that the like should not fall out thereafter, the Town should “ be obliged never to receive any Minister in time coming, but by his Majesties advice and approbation; and in the election of their Magistrates, they should “ yearly present their lites to his Majesty and the Lords of Session, to be allowed “ or disallowed at their pleasure, and propone such others as his Majesty should “ think more apt and sufficient for the Charge, and to that effect, should alter the “ time of their election, and make the same on some day of *November*, when the “ Lords of Session were convened and might give their advice thereto. They “ did lastly offer to fulfill whatsoever his Majesty and Councill should think fit to “ be done in the premises, under protestation that they did not take upon them “ the crime, and that it should not be thought to have been committed of their “ foreknowledge.

Thus it proved true, which *Tacitus* saith, that all conspiracies of the Subjects, if they succeed not, advance the Sovereignty: for by this Tumult was the Kings authority in matters Ecclesiasticall so farre advanced, as he received little or no opposition thereafter.

The offers of the Town, howbeit made in great submission, were not accepted, and counsell given by some Noblemen to raze the Town, and erect a Pillar in place thereof, for a monument of the insolency committed, and the just punishment taken thereof. Others were more mild in their opinions; but for that time nothing was concluded.

The Queen of *England* upon notice sent to her of these broiles, did write to the King a letter, which (for the loving advice it contained) I thought meet here to insert.

My deare brother,

If a rare accident, and ill welcomed news had not broken my long silence, I had not used now Pen-speech, as being carefull of your quiet, and mindfull of your safety. To omit the



the expresseing of both, by letting you know how untimely I take this new begun phrensie that may urge you to take such a course as may bring into opinion the verififying of such a scandall, as ye avowed to me to be farre from your thought. In this sort I mean it, some members of the Church with their companies, have over audaciously emboldened themselves to redress some injurious acts that they feared might overthrow their profession; which though I grant no King for the manner ought to bear with, yet at the instant when the new banished Lords returned, and they seen to be winked at without restraint, and the spring time going on, when promised succour is attend, together with many letters from Rome and elsewhere sent abroad, to tell the names of men authorized by you, as they say, (though I hope falsly) to assure your conformity, as time may serve you, to establish the dangerous party and fail your own. I wail in unfeigned sort, that any just cause should be given you, to call in doubt so disguised acts, and hope that you will so try this cause, as that it harm not you, though it ruine them.

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Of this you may be sure, that if you make your strength of so sandy a foundation, as to call to your aid such as be not of your flock, when as the one side be foolish, rash, headstrong, and brainsick, yet such as may defend you, having no sure anchorage for themselves, if you fail them; and the others, who have other props to sustain them, though they lack you, yea such as though your private love to their persons, may inveigle your eyes, not to pierce in the depth of their treason; yet it is well known, that their many petitions for forain aid, might have tended to your perill, and your Countreys wrack; for seldome comes a stranger to a weaker soyl, that thralleth not the possessor, or indangereth him at least. I trust you think no less; or else they must justifie themselves to condemne you, for without your displeasure, not feared for such a fact, no answer can shield them from blame. Now to utter my folly in seeming busie in anothers affairs, I suppose you will not mislike, since the source of all is care of your good, to desire that nought be done that may embolden the enemy, decrease your love, and endanger your surety: This is in summe the line whereto I tend, and God I beseech to direct your heart in such sort, as ye please not your worst subjects, but make all know in a measure what is fit for them, and make difference between error and malice. So God blees you with a true thought of her that means you best,

Your most affectionate sister

ELIZABETH R.

This letter was to the Kings mind, for albeit he judged the offence great, yet it was not his purpose to use rigour, but to assure the obedience of the subjects in time coming, and make his own advantage of their disorders. Therefore in the next meeting, which was kept at *Halyrudhouse*, the tumult being of new declared to be treason by the Estates, no further was done, but a conclusion taken to pursue the Town criminally before the Justice; and to charge the Provost, Baylies, Councell, and Deacons of Crafts, as representing the whole body of the Town, to enter their persons within the Town of *Perth* before the first of *February*, and there to keep ward till they should be cleared, or found guilty of the uproar.

The letter pleased the King well. The tumult declared Treason in the Convention of Estates. The Town of *Edinburgh* charged to appear at *Perth*.

In this convention the *Octavians* not according well amongst themselves (for the Prior of *Blantire* did keep a course with the Gentlemen of the Chamber, and underhand informed the Ministry of the ill affection that the President and Advocate carried unto them) gave over their Commission of Exchequer in his Majesties hands. They pretended the many burthens, which they sustained otherwise, their services in Councell, and Session, with the charge of the Queens Rent and living, but the true cause was, the malice and envy caried unto them for the credit and place they had with the King, which their service had well deserved; for never were the rents of the Crown so thriftily, and so rightly used as in that short time of their employment. But the King loved to have peace though with his owne losse, neither did they like to be the instruments of his trouble.

The *Octavians* quit their Commission of the Exchequer.

A little before these stirres with the Church, Captaine *James Stewart* (who had beene sometimes Chancellour, and carried the Title of the *Earl of Arran*) was *James Dowglas of Torthorald*. This man after he was put from Court had lived obscure in the North parts, and was entertained by the Lady *Salton* his sister in law,

Captaine *James Stewart* killed.



An. 1596. being in some hope to come again by the office of Chancellarie, which was yet void by the death of the Lord *Thirlestean*, he came South, and had a long conference with the King, which did greatly encourage him, but till matters might be better prepared, he took purpose to visit his friends in *Kyle*. Taking his journey by *Symington* nigh unto *Douglas*, he was advised by his friends in those parts to look to himself, and not ride so openly because of *Tortherald* that lived not farre off, whose Uncle he had followed (as they spake) to the death. His reply (as he was a man proud and disdainfull) That he would not leave his way for him, nor for all the name of *Douglas*, being overheard by a fellow, and reported to *Tortherald*, did so inflame him, the old ulcer remaining uncured, as he avouched to have his life at all hazards. So getting intelligence that he had taken horse, he made after him with three of his servants, and overtaking him in a valley called *Catlack*, after he had stricken him from his horse, did kill him without any resistance. It is said that when Captain *James* saw the horsemen following, he asked how they called the piece of ground on which they were, and when he heard the name of it, he commanded the company to ride more quickly, as having gotten a response to beware of such a part: he was a man full of violence, and when he was in place of rule executed it with much cruelty, which was now payed home in the end.

A Nationall  
Assembly in-  
dicted at  
*Perth*.

Articles pub-  
lished in print  
for the better  
preparation to  
the Assembly.

The King, who longed to see a decent order established in the Church, such as agreed with the Word of God, the allowable custome of the primitive times, and with the Laws of the Countrey, did think this a fit time to effectuate his purpose, and thereupon to hold a Nationall Assembly to meet at *Perth* the last of *February*, for treating and determining the bounds and exercise of the spirituall jurisdiction; and to the end that all might come the better prepared, and be duly advised with the matters then to be entreated, he caused some Articles to be drawn up and imprinted with a Preface, wherein he took *God the searcher of all hearts to record, that his intention was not to trouble the peace of the Church by thorny questions, nor yet to claim to himself any tyrannicall or unlawfull government over the same, but only to have these doubts solved, which might either in his time, or in the time of his successors engender debate; and to have the policy of the Church so cleared, as all corruptions being removed, a pleasant harmony might be settled betwixt him and the Ministry, to the glory of Almighty God, the content of all good men, and terrour of the wicked.*

The Articles were 55 in number, and drawn up in form of Questions, as followeth:

- 1 May not the matters of externall gubernation of the Church be disputed, *salva fide, & religione*?
- 2 Is it the King severally, or the Pastors severally, or both conjunctly, that should establish the Acts concerning the gubernation of the Church, or what is the form of their conjunction in the making of laws?
- 3 Is not the consent of the most part of the flock, and also of the Patrone, necessary in the election of Pastors?
- 4 Is it lawfull for the Pastor to leave his flock against their wills, albeit he have the consent of the Presbytery, and for what cause should the Presbytery consent thereto?
- 5 Is it lawfull for a Minister to use such application then that which may edifie his own flock, or is the whole world the flock of every particular Pastor?
- 6 Is he a lawfull Minister who wants *impositionem manuum*?
- 7 Is it lawfull to Pastors to expresse in particular the names of Counsellours, Magistrates, or others whatsoever in pulpit, or so lively to describe them that the people may understand, by whom they mean, without notorious declared vices, and private admonitions preceding?
- 8 For what vices should admonitions and reproving of Magistrates passe publickly from Pulpits, in their absence or presence, respective?
- 9 Is the application of doctrine in pulpits lawfull, which is founded upon informations, bruits, and rumours, suspicions, and conditions, if this be or that be, probabilities, likeliness, or unlikeliness of things to come in civil matters, which



which all may be false, and consequently the doctrine following thereupon ; or should all applications be grounded upon the verity of known and notorious vices ? *An. 1596.*

- 10 Is the Text which is read in pulpit, the ground whereupon all the doctrine should be built ; or may all things be spoken upon all texts, so that the reading thereof is but a ceremony ?
- 11 May a simple Pastor exercise any jurisdiction, without consent of the most part of his particular Session ?
- 12 Is his Session Judge to his Doctrine ?
- 13 Should not the Moderator of the Session be chosen yearly, or any who hath voice therein ?
- 14 May the Session be elected lawfully by Ministers only, without the consent of the whole Congregation ?
- 15 Why should not Elders and Deacons of particular Sessions be elected *ad vitam* ?
- 16 How many Presbyteries are meet to be in the whole Countrey, in what places, and how many Pastors of Churches in every Presbytery ?
- 17 Should not the Elders and Deacons of every particular Session have voice in Presbyteries, or the Pastors only ?
- 18 What are the matters belonging to the jurisdiction of the Presbytery, which may not be entreated in particular Sessions ?
- 19 What form of proceffe in libelling and citation, what terms and diets, and what probations should be used before the said particular Sessions and Presbyteries respective ?
- 20 What matters should the Synodall Assemblies treat upon, which may not be decided in Presbyteries ?
- 21 Should not all who have voice in Presbyteries, and in the particular Sessions, have voice in the Synodall Assemblies ?
- 22 Should each Univerſity or College, or every Master or Regent within Colleges, have voice in Presbyteries, and Synods, the Towns and Countreys where they are, as likewise what form of voice should they have in Generall Assemblies ?
- 23 Is it lawfull to convocate the Generall Assembly without his Majesties licence, he being *pius & Christianus Magistratus* ?
- 24 Is it necessary that the Generall Assembly should be ordinarily convened for weighty causes concerning the whole Church ?
- 25 Have not all men of good Religion and learning, voice in the Generall Assembly ?
- 26 Is every particular Pastor obliged to repair to the Generall Assembly, or is it sufficient that only Commissioners come from every particular Session, Presbytery, or Synodall ?
- 27 Who should chuse the Commissioners to come from every Shire to give voice in the Generall Assembly ?
- 28 What is the number of those that give voices, which is necessary to the lawfulness of a Generall Assembly, and how many of the number should be Pastors, and how many other men ?
- 29 May any thing be enacted in the Assembly, to which his Majesty consents not ?
- 30 Is it necessary that the two part of them who have *jus suffragii* should consent to any things decerned in Ecclesiastick judgments, that matters passe not by one voice, mo or lesse ?
- 31 Hath not every judgment inferior to the Generall Assembly, a Territory limited, without the which they have no power of citation, or jurisdiction ?
- 32 What is the ordinary Ecclesiastick judgment for his Majesties household and Councell, removable with his Majesty to any part of the Realm ?
- 33 Should there be libelled precepts containing the cause of the citation



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- and certification of the Censures before all Ecclesiastick judgments, or should they answer *super inquirendis* ?
- 34 Have the Inferiour Judgments power to summon any to compeir before the Superiour ? or should men be summoned only by the authority of that Judgment, before which they ought to compeir ?
  - 35 Is it not necessary, that private admonitions, with reasonable intervalls of time, passe before all manner of Citations ?
  - 36 What intervall of time is necessary between every private admonition, and between the first Citation, and the day of Compeirance, and betwixt the Citation, and the last admonition in every one of the said Judgments ?
  - 37 How many citations should inferre contumacie ?
  - 38 Is simple contumacie without probation of a crime, or is any crime without contumacie, a sufficient cause of Excommunication ?
  - 39 Are there not divers kindes of Censures, such as *prohibitio privati convictus*, *interdictio à cœna*, not published to the people ; and last of all, *publica traditio Satana* ?
  - 40 Should the Presbyteries be Judges of all things that import slander, and if so be, whereof are they not Judges ?
  - 41 Can Excommunication be used against thieves, murtherers, usurers, and not payers of their debts ; and if so it may be, why are not the Highland and Border-thieves cursed, as also all the forswearing merchants and usurers amongst the Burroughs ?
  - 42 Is there any appellation from the Inferiour to the Superiour Judgment, and is not the sentence suspended during the appellation ?
  - 43 Should not all Processees, and Acts be extracted to parties having interest ?
  - 44 Is summary Excommunication lawfull in any case without admonition and citation preceding ?
  - 45 Have any others but Pastors voice in Excommunication ?
  - 46 Hath every Ecclesiasticall Judgment a like power to excommunicate ?
  - 47 Is it lawfull to excommunicate such Papiests as never professed our Religion ?
  - 48 A woman being excommunicated, having a faithfull husband, should he thereafter abstain from her company ?
  - 49 Is it not reasonable that before any Letters of horning be granted by the Session upon the processe of excommunication, that the partie should be cited to hear them granted ?
  - 50 Hath not a Christian King power to annull a notorious unjust sentence of excommunication ?
  - 51 May any Councill or University be excommunicated, for what cause, by whom, and the manner thereof ?
  - 52 When the Pastors doe not their duties, or when one Jurisdiction usurpeth upon another, or any other Schisme falleth out, should not a Christian King amend such disorders ?
  - 53 May Fasts for generall causes be proclaimed without a Christian Kings command ?
  - 54 May any Ecclesiasticall judgment compell a man to swear *in suam turpitudinem* ?
  - 55 Should there any thing be entreated in the Ecclesiasticall judgment prejudiciall to the Civil jurisdiction or private mens rights, and may not the Civil Magistrates stay all such proceedings ?

The Ministers greatly perplexed with these Questions.

How soon these Questions were divulged, and that its seen they all touched upon the abuses crept into the discipline, the Ministers that stood affected to the present order were much perplexed, neither did any thing more offend them, then that the government should be brought in dispute, which they had given out alwaies to be a part of the Gospel. This at any hand they thought was to be prevented ;



vented; and many private Conferences were kept to this purpose: neither did the King neglect to provide himself of a party against that meeting; and thinking he should gain most easily the Ministers in the North parts, he employed Sir Patrick Murray Gentleman of his Chamber, to deal with them, giving him direction first to shew what a slander the Ministers of *Edinburgh* had brought upon Religion by stirring up of the late uproar, and the inciting of the Lord *Hamilton*, and others of the Nobility to open Rebellion against him; how for the same they were become Fugitives, and denounced his Majesties Rebels; and thereupon to desire them by some publick Act or Declaration to utter their dislike of the seditious and treasonable courses. He was next desired to urge their subscription to the Bond, which was appointed to be subscribed by the Ministers for acknowledging his Majesties Royall power above them in all causes of sedition, treason, and other civill and criminall matters, and in all speeches uttered by them in Pulpits, Schools, or otherwise, which might import the said crimes, or any of them. 3<sup>ly</sup>, To require them to accept the Earl of *Huntley* his offers for satisfying the Church; and to absolve him from his Excommunication, they finding his offers reasonable, seeing *the bosome of the Church ought alwaies to be open to penitents*; and that they should be more ready to receive then cast out; wherefore as the Presbytery of *S. Andrewes*, to the which he was not subject, had pronounced him excommunicate, they under whose jurisdiction he lived, might and ought with better reason declare him absolved. Neither should the pretext of the Generall Assemblies ratification of the sentence be a stay unto them, considering it was done many moneths after the pronouncing of the sentence, and that the absolution they should give might in the like manner be ratified at the next Assembly; much lesse ought the prohibition of the Presbyterie of *Edinburgh* (whereof his Majesty was informed) be any hindrance to them, seeing they were neither subject, nor subordinate to them, but as free in all respects as themselves.

And if any doubt should arise upon the form of the Earls satisfaction, he was to remember them, that the same is expressly defined in the Act of Parliament, *An. 1572*, made against Apostates, and other adversaries of the true Religion, where it is said, *That they which have made defection from the truth, should not be received to our Sovereigne Lords mercy and favour, till they have given of new the confession of their faith, and promised to continue in the profession thereof all time coming, and to fortifie the Preachers of the same against whatsoever enemies.*

Last of all, he was appointed to deliver them a Copie of the imprinted Questions, and to desire the most discreet of their number to be sent Commissioners to the Assembly appointed at *Perth*, with promise of speciall favour to them in all their businesse, his good will towards the Ministry being no way altered by the wrong he had received from those insolent Ministers of *Edinburgh*. This was the substance of his instructions.

The Ministers with the reverence that was due, made answer, That for *the Tumult of Edinburgh* they were ignorant of the Ministers behaviour therein, as likewise of their flight; and having no jurisdiction over them, they could give forth no judgment or censure; only in the generall they would say, that whosoever with just triall should be found authors of that Insurrection deserved to be punished as Traytors, and if they were Ministers, to be doubly punished.

For *their subscription to the Bonds*, they answered, That at their acception of the Ministry they had taken oath for acknowledging his Majesties power and authority, and would not decline the same; but where the Bond did mention speeches uttered in pulpit, because the same concerned application of doctrine, which his Majesty had proponed, as a Question to be decided in the approaching Assembly, they did humbly entreat his Majesty to spare them in that point, unto that time, which they promised precisely to keep.

For *the Earl of Huntley*, they said, His repentance should be most acceptable to them; that they were content to give him conference, and use all means for his resolution; but they did not finde him so willing to conform as they wished, nor very earnest for his absolution.

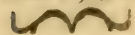
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Sir Patrick Murray directed to the North to deal with the Ministers.

The Ministers Answer.



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This was the summe of their Answer; which the King did accept the better, because of the hopes given to his servant of all satisfaction on their parts at the meeting of *Perth*: which they also performed; for both then and afterwards in all Assemblies and conventions they did stick fast unto him. But the King being made to understand that *Huntley* did linger and delay to make offers for satisfying the Church, he sent him the Letter following written all with his own hand.

My Lord,

His Majesties  
Letter to the  
Earl of Hunt-  
ley.

**I** Am sure ye consider, and doe remember how often I have incurred skaith and hazard for your cause, therefore to be short, resolve you either to satisfie the Church betwixt the day that is appointed without any more delay, or else if your conscience be so kittle, as it cannot permit you, make for another Land betwixt and that day, where ye may use freely your own conscience: your wife and Barns shall in that case enjoy your living; but for your self look never to be a Scottish man again. Deceive not your self to think that by lingring of time your Wife and your Allies shall ever get you better conditions. And think not that I will suffer any professing a contrary Religion to dwell in this Land. If you obey me in this, you may once again be settled in a good estate, and made able to doe me service, which from my heart I would wish. The rest I remit to the bearer, whose directions ye shall follow if you wish your own well. Farewell.

From *Dunfermlin*.

JAMES R.

Letters directed to the Presbyteries for keeping the Assembly.

Such was the Kings care for reclaiming the Nobleman to the profession of the truth, whilst people suffered themselves to be abused with rumors, that he himself was declining. Letters in the mean time were directed to all the Presbyteries, advertising them of the meeting at *Perth*, and desiring they should send their Commissioners thither instructed, with power to treat and conclude in all matters proposed. When the day came, the Assembly was frequent enough, but divers Commissioners bearing a power only to convene, hear, and report, and not to question any thing concluded in former Assemblies, the King sent Sir *John Cockborne* of *Ormeiston*, Sir *John Preston*, and Mr. *Edward Bruce*, to ask those that were convened, whether they did accompt that meeting a lawfull Generall Assembly, having power sufficient to treat and conclude in the Articles that should be proposed, according to his Majesties missive Letters directed to the severall Presbyteries? After long reasoning, answer was made, "That they did esteem the meeting to be a lawfull Generall Assembly, called extraordinarily by his Majesties Letters, and that they would hear, treat, and conclude of things that should be moved unto them, according to the Commissions wherewith they were authorized.

The Assembly declared to be a lawfull Generall Assembly.

Articles presented by his Commissioners to the Assembly.

This Answer given, they presented the Articles following. Seeing the quietnesse of the Church, and the freeing of the same from slander, which upon the contrary effects would necessarily follow, is the principall scope and end, at which his Majesty aimeth in this present Assembly, foreshewing fashions and long disputes, whereupon controversies and debates might arise; his Majesty hath thought good to remit the decision of a great number of the Questions imprinted to better opportunity, and will content himself with the determination of a few that he hath made choice of, which with a greater could not be longer delayed.

As first, that it be not thought unlawfull either to the Prince or any of the Pastors, at any time hereafter to move doubts, and crave reformation of any points in the externall policy, and discipline of the Church, which are not essentiall concerning salvation, nor expressly defined in Scripture; providing it be done *decenter* in right time and place, *animo edificandi non tentandi*.

2 That seeing the civill and politick government of the Countrey belongs properly to the Kings office and his Counsellours; and it is no way pertinent to the spirituall Ministry of the Word; that no Minister should thereafter meddle with matters of Estate in Pulpit, or with any of his Majesties laws, statutes, or ordinances; but if any of them seem hurtfull to Religion, they should complain to the King and Councell.

3 That



3 That it should not be lawfull to Ministers to name any particular mens names in Pulpit, or so vividly to describe them, as may be equivalent to their naming, except upon the notoriety of a crime, which notoriety must onely be defined by the guilty persons being fugitive for the crimes, or the declaration of an Affise, or their excommunication for the same.

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4 That every Minister in his particular application have onely respect to the edification of his own flock, and present auditory, without expatiating in other discourses no way pertinent to their congregation.

5 That every particular Presbytery be commanded to take a diligent accompt of the doctrine of their Ministers, and see that they keep themselves within bounds in the premises.

6 That summar excommunication be utterly discharged, and that three lawfull citations at least of eight daies intervall betwixt every one of them, precede the sentence.

7 That no Session, Prebytery, or Synod use Censures upon any but those that are within their bounds, otherwise their decreets and sentences to be null.

8 That all summons contain a speciall cause and crime, and none be used *super inquirendis, quod est merè tyrannicum*.

9 That no meeting or convention be amongst the Ministers without his Majesties knowledge and consent, except the ordinary Sessions, Presbyteries and Synods.

10 That in the principall Burghs no Ministers be placed without the consent of his Majesty, and the flock; and this order to begin presently in *Edinburgh*.

11 That all matters concerning the rest of his Majesties Questions be suspended, and neither condemned nor rebuked, either in pulpit, or any other judicatory, till the same be decided in the next Generall Assembly; especially that no matters be called before the Ecclesiasticall judicatories, as importing slander, wherein his Majesties authority may be prejudged; but that they meddle only with causes meerly Ecclesiasticall.

12 That some wise and discreet Ministers to the number of seven or eight, be authorised by Commission, to reason upon the rest of the Questions, when opportunity of time shall serve.

Lastly, that the present Assembly grant Commission to the Ministers of the North Countrey, to absolve the Earl of *Huntley* from his Excommunication, if he satisfie the Church.

For the better determining of the said Articles, it was thought meet that some brethren should be desired to conferre of them apart, and report their opinions to the Assembly, w<sup>ch</sup> they did the next morning. Touching the *first Article*, they said, that they held it not expedient to make any law, or act concerning that matter, lest a door should be opened thereby to turbulent spirits; otherwise they did think it lawfull to his Majesty by himself or by his Commissioners to propone in a Generall Assembly wh<sup>ts</sup>soever point his Majesty desired to be resolved in, or to be reformed in *specie externi ordinis*, seeing *substantia externa administrationis Ecclesiasticae, est plenissime prodita in sacris literis*. And as the Generall Assembly hath accepted well of this manner of doing in all times past, so in their opinion they should doe the like in t<sup>he</sup> me coming.

The advice of certain Brethren set apart to consider the Articles.

For the *second* their advice was, that the Acts already made which are hurtfull to Religion and prejudiciall to the liberty of the Word, should be discharged, and no Act thereafter past concerning Religion without the advice and consent of the Church. As for matters of Estate mentioned in the Article, they craved a further explanation of that point.

The *third* they esteemed reasonable, that no mans name should be expressed to his rebuke in pulpit, unlesse the fault was notorious and publick, but they esteemed *notoriety* must be defined otherwise then by the three waies set down in the Article: for contumacy after citation, the publick commission of a crime, such as was *Boswell's* treasonable contempt at *Leth*, the Burning of *Dumebirsell*, and the like, make also a notoriety. As to the *vive description*, said to be equivalent, they thought



An. 1596. thought it hard to set any law to that, seeing every guilty person will think himself deserv'd, when his fault is rebuked, albeit the Minister doth not think of him.

The *fourth*, and *fift* Articles they judg'd lawfull: but for the *sixth*, which craves a simple charge of summar Excommunication, they advis'd to remit the same to the next Assembly, suspending the practice thereof, in the mean time: the *seaventh*, they thought likewise was to be remitted: to the *eighth* they agreed; and for the *nineth* that concern'd the meeting of Pastors, they said that besides Sessions, Presbyteries and Synods, Pastors are accustomed to meet, for visitation of Churches, admission of Ministers, taking up of feods, resolving of questions.

The *tenth* they esteem'd reasonable; the *eleventh* Article seeming to import a discharge of many points of discipline, they said, was so large that it could not be presently answer'd; and the *last two* they remitted to the full Assembly judging that they ought to be granted.

The Assembly  
required to  
meet with the  
Estates.

These answers shew'd to the King were not lik'd, and held insufficient; whereupon the Assembly was desir'd to repair to the place where his Majesty and the Estates were conven'd for treating upon the foresaid Articles: at their coming the King had a speech much to this purpose; "That they could not be ignorant either of the occasion, or of his purpose in calling the present Assembly; and for the occasion, that it griev'd him to remember it not for any injury or displeasure done to himself, but for the shame and slander cast upon Religion: for have not the adversaries, said he, too just a ground against us, who say that our profession teacheth the contempt of Princes, and maintains insurrections against them? I know it is the fault of men and not of the profession, and none of you that are met here, I take to be guilty of the late attempt, but it is in your hands to clear your selves, if any think otherwise, and so to free your profession of that scandal. As for the purpose for which I have called you together at this time, it is to mend such things as are amiss, and to take away the questions that may move trouble afterward: if you for your parts be willing to have matters righted, things may yet go well. I claim nothing but what is due to every Christian King within his dominion, that is to be *Custos & vindex discipline*. Corruptions are crept in, and more daily growing by this liberty, that preachers take in the application of their doctrine, and censuring every thing that is not to their mind. This I must have mended; for such discourses serve onely to move sedition and raise tumults. Let the truth of God be taught in the Chair of truth, and wickedness be reprov'd but in such sort as the offender may be bettered, and vice made more odious. To rail against men in Pulpit, and express their names as we know was done of late, there being no just cause, and make the word of God which is ordained to guide men in the way of salvation, an instrument of sedition, is a sin, I am sure, beyond all other that can be committed on earth: hold you within your limits, and I will never blame you, nor suffer others to work you any vexation. The civill Government is committed to me, it is not your subject, nor are ye to medle with it. After such words as these he began to speak of the Articles propon'd, desiring to hear what reasons they had to the contrary.

Protestation  
made by Mr.  
Tho: Buchannan  
in name of the  
Church.

Mr. *Thomas Buchannan*, as he was appointed, did first protest in the name of the Assembly, "That their coming to that place, was onely to testify their obedience to his Majesty, and to hear what shall be propon'd, but not to submit matters Ecclesiastick, either concerning doctrine or discipline, to their Judicatory; or yet to make themselves one Assembly with the Estates; and that therefore they should be permitted to return to the place of their Assembly to treat, reason, and conclude in the points mov'd unto them according to the word of God and good consciences: which protestation was admitted. Then he did humbly thank his Majesty for his good affection to the Church, and care he had to redress things that were amiss in so peaceable a manner. And for the particulars propon'd, he shew'd what was the minde of the Assembly, and the reasons that led them unto it, saying, they were willing to hear and give place to better information. Hereupon ensued a reasoning, which kept a long time, and ended in a good agreement: so the ministers

were



were dimitted, and Assembling again in the ordinary place, they corrected their first answers in this sort.

An. 1596.

The answers of the Articles reformed.

1 That it is lawfull to his Majesty by himself or his Commissioners, or to the Pastors, to propone in a generall Assembly whatsoever point his Majesty, or they desire to be resolved, or reformed in matters of externall government, alterable according to circumstances, providing it be done in right time and place, *animo adificandi non tentandi*.

2 That no Minister should reprove his Majesties Laws, Acts, Statutes, and Ordinance, unto such time as first he hath by the advice of his Presbytery, Synodall or generall Assemblies, complained and sought remedy of the same from his Majesty, and made report of his Majesties answer before any further proceeding.

3 That no mans name should be expressed in Pulpit to his rebuke, except the fault be notorious, and publick; which notoriety is thus defined; if the person be fugitive, convict by Assise, excommunicate, contumax after citation or lawfull admonition; nor yet should any man be descrived vividly by any other circumstances then publick vices always damnable.

4 That no Minister should use application, wherein he hath not a principall respect to the edifying of his own flock, and present auditory.

5 That every Presbyter take diligent accompt of the Pastors doctrine, and that he keep himself within the bounds of his words.

6 That the answers of the sixth Article shall be superseded unto the next generall Assembly, suspending in the mean time all summary excommunication unto the said Assembly.

7 That the seventh Article be remitted to the next Assembly.

8 That all summons contain the speciall cause and crime, and none to be given out *super inquirendis*.

9 That no conventions shall be amongst the Pastors without his Majesties knowledge and consent; except their Sessions, Presbyteries and Synods, the meetings of the visitations of Churches, admission or deprivation of Ministers, taking up of deadly fewds, and the like which have not been found fault with by his Majesty.

10 That in all principall Towns the Ministers shall not be chosen without his Majesties consent, and the consent of the flock.

11 That all matters concerning remnant questions shall be suspended, and neither damned nor rebuked in Pulpit or other Judicatories till they be decided in the generall Assembly, and that no matters importing slander shall be called before them in the mean time, wherein his Majesties authority is prejudged, causes Ecclesiasticall onely excepted.

Lastly, for reasoning the said questions according to his Majesties desire the Assembly did ordain Mr. James Nicolson, Mr. John Coldclewch, Mr. Andrew Clayhills, Mr. Thomas Buchannan, Mr. David Lindsey, Mr. James Melvill, Mr. Robert Wilky, Mr. William Cowper, Mr. John Cowper, Mr. Robert Rollock, Mr. Patrick Galloway, Mr. Robert Howy, John Duncanson, and Mr. James Bryson to convene at such time and place, as his Majesty should be pleased to appoint, and to report their opinion and advice to the next generall Assembly.

Persons nominated to reason the questions.

These conclusions taken, which for a beginning did satisfie the King, a Commission was also given at his Majesties desire to the Ministers of *Aberdene* and *Murray*, with some others of *Mernis* and *Angus*, for reconciling the Popish Lords. The conditions required of *Huntley* to be fulfilled before his absolution were

Commission given for absolving the Popish Lords.

“ 1 That he should appear before the Commissioners appointed by the Assembly  
“ the 22 of *March* at *Aberdene*, and remain in that City during the time of their  
“ conference with him, to the effect he might be instructed in the truth, and brought  
“ to condescend with knowledge unto the religion professed, and to the detestation  
“ of the contrary. 2 That he should acknowledge the Church of *Scotland* to be a  
“ true Church, and adjoyn himself thereto, hear the Word, receive the Sacra-  
“ ments, and be obedient to the discipline thereof. 3 That he should solemnly pro-  
“ mise to remove forth of his company, and from the bounds that were under his  
“ power,

The conditions required of the Earl of *Huntley*.



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“ power, all Jesuits, Priests, and excommunicate persons. 4 That he swear and  
 “ subscribe the confession of the faith in presence of the whole Commissioners.  
 ” 5 That he acknowledge the sentence of excommunication to have been justly  
 ” pronounced against him for his apostasie from the truth, the slaughter of the  
 “ Earl of Murray and burning of Dumbrißill, and that he declare himself penitent  
 ” therefore, promising assitment to the partie whensoever he should be moved  
 “ to accept the same. 6 That he provide sufficient maintenance to the Churches  
 “ within his bounds by the advice of his best advised friends, and have an ordina-  
 ” ry Minister to reside with him in his family. And lastly, that he be content to re-  
 ” concile with all that he is esteemed to carry any grudge unto; and profess no  
 ” quarrell to any of those that assisted the King in his pursuit.

The like con-  
 dition prescri-  
 ved to Angus  
 and Arroll.

The King taketh the Mini-  
 sters in his pro-  
 tection.

The Assembly  
 intercedes for  
 the Ministry  
 of Edinburgh,  
 and others  
 charged with  
 the tumult.

The Kings  
 answer.

The death of  
 Mr. John Lesly  
 Bishop of  
 Ross.

The Town of  
 Edinburgh de-  
 nounced Re-  
 bels.

The like conditions were required of Angus and Arroll (that which concerned the Earl of Murray only excepted.) All matters being thus peaceably accorded, the King caused publish the good agreement he had made with the Church, taking in his protection the Ministers with their families, goods and possessions, and charging all Papists (those excepted that were in tears of satisfaction) to depart forth of the Countrey before the first of June.

The Assembly finding the King so well pleased, made bold to intercede for the Ministers, the Town of Edinburgh, and the Gentlemen that were challenged for the tumult. For the Town his Majesty answered, *that he was not minded to trouble innocent men, and should shortly settle with them.* Touching the Gentlemen he said, *they should doe well to present their supplications by their friends;* But for the Ministers, *he esteemed them most guilty, and knew not what course to take with them.* It being replied, that by the examinations taken it appeared that they all, especially Mr. Robert Bruce, was a chief instrument in the staying of the tumult, and that they should therefore be rather rewarded then punished. He answered, *that granting they did stay the tumult, yet they were the cause of it, and if they for that fault were first corrected, he would not not be much troubled with their reward.* Nottheless at the assemblies request he would be content they should be relaxed upon caution to underly the triall of Law. Thus an end was put to that meeting, and the next Assembly by his Majesties consent appointed to be at Dundy the 10. of May following.

This year Mr. John Lesly Bishop of Ross departed this life at Brussels in Flanders, where for the most part he abode after the Queen of Scotlands execution. A man (though differing from us in Religion) worthy to be remembred for his fidelity to the Queen his Mistrefs, and the extraordinary pains he took to procure her liberty, travelling with all the neighbour Princes to interpose their credit with the Qu. of England for her relief: neither was he deficient otherwise in ministring the best consolations he could furnish for bearing patiently her cross, whereof one treatise he afterwards published full of piety and learning. How heavily he took her death, it cannot well be expressed: yet comforting himself in the best sort he could, he put off to this time, and being much weakned by a languishing sickness that held him some moneths he ended quietly his days. The History of his Countrey from the beginning of the Nation unto these last times written by him in the Latin Tongue, doth witness both his learning and judgement. It being just to give unto every man (albeit an enemy) his due commendation, I could not pass him unremembred. Mr. David Lindesay Minister at Leith was in the year following provided to that Sea.

The Diet assigned for the appearing of the Town of Edinburgh at Perth was upon their petition continued first to the 15 day of February, and from the 15 again put off to the 1 day of March, with a declaration, “ That if two of the  
 “ Bayliffes, with the Deane of Guild, Treasurer, four of the principall Deacons,  
 “ four of the Councell and their Clerk, making 13 in all, did enter themselves the  
 “ said day and bring a sufficient Commission from the Provost, Bayliffes, Coun-  
 “ cell and Community of the Town for underlying the order that should be taken  
 “ with them, as representing the whole body, their compeirance by so many  
 should serve for all the rest.



It was the 5. of *March* before they were called, at which time there appeared a number of persons and presented a procuratory under the seal of the Town, and the subscription of the Clerks thereof, which his Majesty caused to be read. Then asked if all contained in the Commission were present: it was answered that they were all there, *William Mauld* excepted, who had his Majesties letter of dispensation, which they produced; But the same being granted the 11. of *January*, long before the deliverance upon their petition, which expressly ordained that they should have thirteen persons present for undergoing the trial, it was declared to be no warrant, and so for not fulfilling the Ordinance of the Councell the Town was denounced, the burgeses declared Rebels, and their *Common goods* (so they call the rents belonging to the Town) arrested to the Kings use.

It was pitifull to behold the desolation wherein the Town was then cast. The Magistrates renounced their Offices and would carry no more Charge, the People were left without direction wanting both Magistrates and Ministers, and in this state did they continue for the space of fifteen days. At last by the intercession of some Noblemen, the King was pleased to receive the Town in favour, and the Provost, Bayliffes, Councell and Deacons of Crafts being brought unto his presence at *Halyrudhouse* the 21. of *March*, and falling upon their knees did with tears beg pardon for their negligence in not timely preventing that Tumult, raised (as they said) by a number of ill disposed people, beseeching his Majesty to take pity of the Town which did submit it self simply to his Highness mercy. The King after he had sharply rebuked them, and shewed in many words the greatness of their offence, commanded them to remove that he might think what was fittest to be done. Then calling for their Officers they had formerly made he caused eke unto them the Articles following. 'That the lodgings in the Church yard wherein the Ministers dwelt, and kept their consultations, should be given to his Majesty and used at his pleasure. That the Ministers that should thereafter serve in the Town should dwell in their own quarters and live dispersed. That the Town should be obliged, for the indemnity of the Lords of Session during their sitting, under the penaltie of forty thousand marks. That the neather Councell house wherein the Provost and Bayliffes did keep their meetings should be appointed for the Exchequer; and that for the offence committed the Town should be fined in twenty thousand marks to be paid in four moneths. These conditions accepted, the King did pardon the Town giving order to receive them to his peace, and by Proclamation recalled the Session to sit in their former place. Never did any King, considering the offence, temper his authority with more grace and clemency then did his Majesty at this time: which the people did all acknowledge, ascribing their life and safety only to his favour.

Shortly after, the Ministers were also permitted to return, and had their peace granted, but were not suffered to preach in their places, the King taking now the occasion of finishing the work, which some two years before had been moved, for distributing the People in severall Parishes and planting more Ministers among them. The let he knew was in the Town that still put off the business, because of the burthen it would draw upon them; and knowing that the desire they had to have their old Ministers reponed, would make them the more forward that way, he refuses to readmit them untill the distribution intended was perfected, and other four Ministers adjoynd to them for the better instruction and more orderly government of the People. The Ministers themselves did also profess that they were wearied of that *confused Ministry*, as they called it, and compeiring in the Assembly which held at the time appointed in *Dundie*, they resigned their offices, denying to serve any longer, unless they had a particular flock designed. But because that work required a longer time, then the Assembly could well abide together, the same was committed to certain delegates, and the Ministers dwelling neer unto *Edinburgh*, ordained to furnish the Pulpits for the interim.

In the Assembly *Mr. Robert Rollock* was elected to preside, though he was not as yet in orders: In so great esteem he was with all good men for his learning, holyness, and moderation. The first thing done was the taking of an account of the Ministers

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Ann. 1597.  
The Town received into favour at the intercession of Noblemen.

Articles enjoyned to be performed by the Town.

The Ministers of *Edinburgh* suffered to return but inhibited to preach.

An Assembly at *Dundie*.

*Mr. Robert Rollock* elected to preside.



An. 1597. Ministers travells with the Earls of *Angus*, *Huntley*, and *Arrol*, and of their obedience to the injunctions given in the former Assembly. This was testified by the Ministers that had the charge, to have been in all points so well performed, as no more could be required of them. For verifying thereof their severall subscriptions were produced, together with an humble supplication to the Assembly for accepting their satisfaction, and receiving them in the bosome of the Church: which accordingly was decerned, and order given that they should be received by the same Commissioners, who were appointed to meet at a certain time, and pronounce their absolution.

Order given  
for absolution  
of the Popish  
Lords.  
Proceedings  
of the Assem-  
bly.

The next thing proponed was touching the questions left unresolved in the last Assembly, and because exception was taken by some brethren that were absent at the Articles concluded at *Perth*, especially that it should have been acknowledged for a lawfull generall Assembly, it was of new declared to be a lawfull Assembly, and certain explanations added, by the rest of the Acts, as in the point of *Notoriety* the crime should be reputed notorious that was so manifest and known, *Ut nulla tergiversatione celari possit*: and for the convening of Pastors with his Majesties consent, the same was declared to be extended to all Assemblies either generall or particular, authorized by his Highness lawes, and having warrant in the word of God. His Majesty did likewise expresse his meaning touching the provision of *Burghs* with Ministers in this sort, that when the Assembly should find it necessary to place a Minister in any Town, he should either yield his consent or give a sufficient reason of his refuse. With these declarations the whole number was so well pleased, as proceeding in the rest of the questions, they determined as followeth.

The rest of  
the questions  
determined.

- First, Where his Majesty doth crave that before the conclusion of any weighty matter, his Highness advice and approbation should be had thereto; The Assembly will be very glad to have his Majesties authority interponed to all Acts of any importance made by the Church, so as matters formerly treated and concluded be not drawn in question.
- 2 That there should be an uniform order kept in the ordination of Ministers, and none admitted but by imposition of hands, and to a certain flock on which they shall be astricted to attend. As also such as have not received Ordination, should not be permitted to teach in great rooms, except upon urgent necessity and in the defect of actuall Ministers, and that good heed shall be taken that they did not pass their bounds, especially in application.
- 3 That no Minister should exercise any jurisdiction either by making of constitutions, or leading of processes, without advice and concurrence of his Session, Presbyterie, Synod or generall Assembly.
- 4 That all Sessions should be elected with consent of their own congregations.
- 5 That Sessions, Presbyteries and Synods should labour to be formall in their proceedings, and that the inferiour judicatories should be tried in this point by their superiours.
- 6 That in the exercise of the Word whereunto Ministers convene, there should no application be used.
- 7 That in matters of importance, if the voices be different only by two or three, nothing should be concluded untill a better resolution was taken, and he who holdeth the negative, give *rationem negandi*.
- 8 That Presbyteries should not medle with any thing that is not known without all controversie to belong to the Ecclesiasticall judicatory, and that therein uniformity should be observed throughout the Countrey.
- 9 That no Processes and Acts should be extracted at the desire of parties having interest.
- 10 Summary excommunication should be suspended as before, and in great crimes after publick intimation, the Committer debarred à *sacris* & à *privato convictu*.



11 That where any Presbyterie should be desired by his Majesties missive to stay their proceedings, as being prejudiciall to the Civill jurisdiction or private mens rights, they should desist untill his Majesty did receive satisfaction.

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The principall questions being thus decided, it was thought meet to supersede the treating of the rest, and to give a generall Commission to certain of the most wise and discreet brethren, for all affairs that might concern the good of the Church. For this effect choice was made of Mr. *David Lindsay*, Mr. *Thomas Nicolson*, Mr. *Thomas Buchannan*, Mr. *Robert Pont*, Mr. *Robert Rollock*, Mr. *Alexander Dowglas*, Mr. *George Gladstaves*, Mr. *Patrick Galloway*, *John Duncanson*, Mr. *Patrick Sharpe*, Mr. *James Melvill*, Mr. *William Cowper*, and *John Clapperton*, to whom, or to any seven of them, power was given to convene with his Majesty at such times as they should be required, for taking order touching the Provision of Ministers to the Towns of *Edinburgh*, *Dundie*, and *St Andrewes*, the houses of the King and Prince, and to any other Churches within the Realm, that should stand in need to be planted; as likewise to present the Petitions and grievances of the Church to his Majesty, either generall or particular, and to give their advice to his Highness in all matters that might serve to the weal and peace of the Church.

A generall commission for Church affairs.

Howsoon the Assembly dissolved, Sir *Patrick Murray* was sent by the King unto the North to see the Conditions made by the three Earls to the Church performed, and to assist the Commissioners appointed for their absolution. He had further in charge to cause them to subscribe the generall bonds for the peace and quietness of the Countrey, and to find caution each of them under the pain of Twenty thousand pounds, to traffick nor keep intelligence with any forainers without his Majesties licence by word or writing; particularly for the Earl of *Huntly* it is enjoyned, that he should follow the counsell of certain Barons, and Ministers that the King did nominate unto him, and proceed by their advice in all weighty affaires, especially in matters that concerned his Majesties service. The Barons nominated to him were, the Laird of *Finlatour*, the Laird of *Innes*, the Laird of *Phiborth*, the Tutor of *Cromartie*, the Laird of *Pitlodge* and Laird of *Cluny*, or any three of them; the Ministers were, the Bishop of *Aberdene*, Mr. *Peter Blackburne*, Mr. *John Forbes*, Mr. *Robert Howy* the Parson of *Turress*, and Mr. *Alexander Dowglas*, or any three of them.

Sir Patrick Murray directed to the North.

Whilest the King was thus busied to reconcile *Huntly* to the Church, Mr. *James Gourdon* Jesuit came into the Countrey of intention to divert him from giving obedience, against whom a strict Proclamation was made, inhibiting the subjects to resset, supply, or intertain any intelligence with him under pain of treason, and a Thousand Crowns promised to any that should apprehend and bring him to the King. And at the same time was discovered a practice of fortifying the Isle of *Elfa* in the West seas, for receiving certain forces that the Spanish King had promised to send thither. The contriver of this plot, was one *Hugh Barclay* of *Lady-land*, who being committed the year before in the Castle of *Glasgow*, had made an escape and gone to *Spain*: this year returning to make good what he had undertaken, with some few assistants he entered into the Isle (a huge rock it is, four miles in compass, wherein an old ruinous Tower built on the ascent of the rock of difficult access) meaning to have victualled the same. Mr. *John Knox* (the same who took Mr. *George Ker* with the blanks some five years before) getting intelligence of the purpose, came upon him unlooked, and landing in the Isle did encounter him in the very shore: for the most of his company being gone to seek their sport, he had stayed to see who those were that he espied coming to the Isle, not thinking that his purpose was known, or that any would pursue him; but when he perceived them to be unfriends, and to be set for his apprehension, he ran into the Sea, and drowned himself. The King did esteem this, as it was indeed, a peece of good service; and the newes thereof going to the Popish Lords made them more willing to fulfill that which they had promised: So that on the 26. of *June*, the Earls of *Huntly* and *Arroll* upon their solemn repentance,

A Proclamation against Mr. James Gourdon.

The Laird of Lady-land having surprized the rock *Elfa*, is drowned.



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The Kings  
care for remo-  
ving of deadly  
fewds.

A meeting of  
the Commissi-  
oners of the  
Assembly at  
Falkland.

The Secretary  
complained of  
Mr. Robert Wal-  
lace Minister  
at S. Andrews.

Mr. Wallace  
declined the  
Commissio-  
ners.

Mr. Nicoll Dal-  
glis protest-  
eth against the  
Commissio-  
ners proceed-  
ings.

The declina-  
tion and pro-  
testation de-  
clared invalid.

The Witnesses  
examined doe  
verifie the  
complaint.

oaths and subscriptions to the Articles of faith were absolved in the Church of *Aberdene*. The Earl of *Angus* in the same manner was received by the Ministers of *Mernis* and *Angus*.

This business ended, the King for repressing the barbarous fewds which abounded at that time in the North parts, sent a Commission to the Bishop of *Aberdene*, with concurrence of Sir *Patrick Murray* and some Ministers, for taking up their quarrels, and with charges to cause the parties give assurance one to another which should endure to the first of *April*, 1598. The fewds mentioned in the instructions sent to Sir *Patrick Murray* were the fewds betwixt the Earl of *Hunley* and Lord *Forbes*, the Earl of *Arroll* and the Laird of *Ladwerne*, the Laird of *Drum* and young *Frendraucht*. with a number more: but the most deadly and dangerous betwixt the families of *Hunley* and *Murray*, the King reserved to be his own work, and ceased not till the same was removed, and a friendship made up by marriage, which should in all reason be most lasting. Those others were by the diligence of the Bishop and Ministers settled, and so the North parts reduced unto quietness.

In the end of *June* the King called the Commissioners of the Assembly to a meeting at *Falkland*; where amongst other business a complaint was preferred by Mr. *John Lindsay* of *Balcarras* Secretary, against Mr. *Robert Wallace* Minister at *S. Andrews*, for certain injurious speeches uttered in his Sermons, having called him a briber, and said, *That albeit he had made conquest of fifty Chalders victuall in Fife, and built a house to the skyes, yet his posterity should beg their bread, which some of his Auditors should see; and that it was doubtfull if ever God should grant him repentance.* The Secretary had complained of this to the Presbyterie, but they refused to admit his accusation, unless the same was assisted by two witnesses, who could affirm that the accuser had just cause to pursue the complaint, which they alledged to be the Apostles Canon in the 1 of *Timothy*, ch. 5. v. 19. and shewed themselves so partially affected, as he was forced to pursue the complaint before his Majesty and Commissioners.

Mr. *Wallace* being summoned to that Diet, and desired to answer to the complaint, refused to acknowledge the judgment, alledging, "That the general Assembly had given them no Commission in that particular, and that the accusation once before the Presbyterie of *S. Andrews* ought to have been orderly taken out of their hands, which was not done. This Declinatour being proponed, compeired Mr. *Nicoll Dalglis* Moderator of the Presbyterie, and in their name protested against the proceedings of the Commissioners in that cause as being once intended before them, seeing by that form of doing all the Presbyteries of *Scotland* should be prejudged, and that the Generall Assembly, of whom they had their Commission, would not take unto them the triall of any cause, with a neglect of the inferiour judicatories. Then said the King, *I will likewise protest, that seeing one of the principall motives which induced me to crave, and the Generall Assembly to yeild unto this Commission, was to have the like of these offences, when they did arise, removed and justice done by the Ministers themselves, rather then to be brought before the Councell, ye either proceed in examining the complaint and doe that which is right, or hold me excused, if I take order with it by another form that will not please you so well.* The Commissioners having advised the Reasons of the Declinatour, and Protestation, did finde them all invalid and of no force, and that they had warrant sufficient to proceed and minister justice in that action, as well in respect of the generall power contained in their Commission, as of the particular commended to their care in the planting of the Church of *S. Andrews*. So the complaint was admitted, and the 5 of *July* appointed at *S. Andrews* for trying the same.

At the day the Secretary compeiring accompanied with Master *Robert Mauld* Commissar of Saint *Andrews* and *John Arnet* Clerk to the Commissar (whom he produced as assisting Witnesses to take away the Presbyteries exception) did insist in his complaint. Mr. *Wallace* being askt, if he had any thing to oppose against the Witnesses, refused to answer in respect of his Declinatour, whereupon they were admitted, and upon oath declared that they knew the accusation to be just, and that the Secretary had not intended the same of any purpose to caluminate or slander the



the said Mr. Robert, but only to be repaired to his credit and honour, as one who had been greatly wronged by him. The Witnesses for probation being then called, and Mr. Wallace inquired if he had any exception against them, refused, as before, to answer. So they likewise were received, and being sworn, deposed, that they heard the said Mr. Wallace utter the words complained of, in his Sermon. Notwithstanding the Commissioners for their better information did think it meet to call to his Auditors of the University, who were of better judgment, and could truly relate what they heard. The Masters of the new Colledge refusing to give any testimony in respect of the Presbyteries Protestation at Falkland, all the rest affirmed what the Witnesses had deposed. After which Mr. Wallace being again called, and desired to shew what reason, or warrant he had for uttering such speeches, refused still to make answer; nor could any perswasion break his obstinacy, though he was earnestly laboured by Mr. Robert Rollock, and Mr. James Melvill apart; who did offer upon the confession of the fault, that the processe should cease.

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Mr. Wallace his obstinacy.

The Commissioners seeing no way to eschew the pronouncing of sentence, in regard of his obstinacy, did yet take counsell to visit the Church; and inquire both of his, and Mr. Blakes behaviour in that Ministry, before they went further. A Visitation for this effect being appointed the 11 of July, and Mr. Blake summoned to the same day; the Elders and Deacons of the Church were inquired touching the behaviour of them both, and the verity of the accusations laid against them, who all upon oath deposed, that the accusations were true, and that Blake had spoken all that whereof he was convicted before the Councell; as also that the Secretaries complaint of Mr. Wallace was most just. And being askt touching their behaviour otherwise, they declared that both the one and the other were given to factions, and that they did not carry themselves with that indifferency which became Preachers.

A visitation of the Church of S. Andrews.

This Declaration made clear way to the Commissioners for ending that business, and providing S. Andrews with a more peaceable Ministry; whereupon sentence was given that both the Ministers should be removed, and Mr. George Gladstones (a man sufficiently qualified, serving then at Arbirlot in Angus) translated and placed in their room, till another helper might be found out to be joyned with him. This done, the Sunday following he was accepted of the people with a great applause, Mr. Thomas Buchanan, Mr. James Nicolson, and Mr. James Melvill entering him to the charge.

Sentence given for removing Mr. Blake and Mr. Wallace from the Ministry of S. Andrews.

Master George Gladstones admitted Minister of S. Andrews.

And because it concerned the peace of the Church no lesse to have the abuses of the University reformed, the calling the Governours thereof, and inquiring what order they kept; when he understood that against the accustomed form, Mr. Andrew Melvill had continued Rector in a number of years together, he commanded a new election to be made, and honouring the election with his own presence in the Schools of S. Salvator, Mr. Robert Wilkie Principall of S. Leonards was chosen Rector, and appointed to bear that charge, unto the ordinary time of election: as also for preventing the like disorders, a Statute was made, *That none should be continued Rector above a year, nor admitted to the said office, but after the space of three years.* It was likewise declared, *That any Supposit having received the degree of a Master of Arts, might be chosen Rector, he residing in the University during his office, or at least the most part of his time.*

Abuses in the University reformed.

In the new Colledge whereof the said M. Andrew had the charge, all things were found out of order; the rents ill husbanded, the professions neglected, and in place of Divinity Lectures, *politick Questions* oftentimes agitated: as, *whether the election, or succession of Kings were the better form of government? How farre the Royall power extended? and if Kings might be censured for abusing the same, and deposed by the Estates of the Kingdome?* The King to correct these abuses did prescribe to every Professor his subject of teaching, appointing the first Master to read the *Common places* to the Students, with the *Law*, and *History of the Bible*: the second to read the *New Testament*; the third, the *Prophets*, with the Books of *Ecclesiastes* and *Canticles*; and the fourth, the *Hebrew Grammar*, with the *Psalms*, the *Proverbs*, and the Book of *Job*.

In the new Colledge all things found out of order.



An. 1597.

A Councell  
appointed for  
the University.

For the better husbanding of the Rents, as well in that as in the other Colledges, it was ordained, *That there should be a Councell chosen to the University, which should have power to elect an Oeconomus in every Colledge for uplifting the rents, and take care to see all things rightly administrated.* Of this Councell were named the Chancellor of the University, the Conservator of the privileges, the Laird of Colluthie, Mr. David Lindeſay, Mr. Robert Rollock, and Mr. Thomas Buchannan, without whose consent, and subscriptions it should not be lawfull to set any Lease, or make other disposition whatsoever, of any part of the rents.

The Doctors,  
Professors, and  
Regents exem-  
pted for the  
Church-meet-  
ings.

And lest they should be distracted by any other employment, it was concluded, *That all the Doctors, Professors, and Regents, not being Pastors in the Church, should be exempted from the keeping of Sessions, Presbyteries, Synodical or Generall Assemblies; and from all teaching in Churches, and Congregations, exercises excepted; with a discharge to all, and every one of them, to accept any Commission prejudiciall to the said exemption, under the pain of deprivation and rebellion, at the Conservators instance, the one execution not prejudging the other.* Yet that they should not be thought excluded from the Generall Assembly, it was appointed, *That the Masters and Regents of the University should meet when any such occasion did offer, and condescend upon some three persons, of whom one should be elected by the foresaid Councell to be present at the Generall Assembly for that year; which person so chosen, should not for the space of three years thereafter be employed in that Commission.* These Articles being openly recited in presence of his Majesty, and of the whole members of the University, were accepted by the Masters, and Regents, with solemn promise of obedience.

A discovery of  
Witches.

This Summer there was a great business for the triall of Witches; amongst others one *Margaret Atkin* being apprehended upon suspicion, and threatned with torture, did confesse her self guilty. Being examined touching her associates in that trade, she named a few, and perceiving her delations finde credit, made offer to detect all of that sort, and to purge the Countrey of them, so she might have her life granted: for the reason of her knowledge she said, *That they had a secret mark, all of that sort, in their eyes, whereby she could surely tell, how soon she lookt upon any whether they were witches or not;* and in this she was so readily believed, that for the space of 3 or 4 months she was carried from town to town to make discoveries in that kinde. Many were brought in question by her delations, especially at *Glasgow*, where divers innocent women, through the credulity of the Minister *M. John Cowper*, were condemned and put to death. In end she was found to be a meer deceiver (for the same persons that the one day she had declared guilty, the next day being presented in another habit, she cleansed) and sent back to *Fife*, where first she was apprehended. At her triall she affirmed all to be false that she had confessed, either of her self or others, and persisted in this to her death: which made many forthink their too great forwardness that way, and moved the King to recall the Commissions given out against such persons, discharging all proceedings against them, except in case of voluntary confession, till a solid order should be taken by the Estates, touching the form that should be kept in their triall.

A discharge of  
proceedings a-  
gainst Witches,  
except in case  
of voluntary  
confession.Troubles in  
the Borders.

In the Borders at the same time great troubles were raised by the broken men of *Tindale* and *Rheadsdale*, who made incursions on the Scots side, and wasted all the Countrey of *Liddisdale*. The Laird of *Baclugh* that had the keeping of those parts, to be repaired of that wrong, made a road into *England*, and apprehending 36 of the doers, put them all to death, and brought away a great spoil. Sir *William Bowes* being sent to complain of this, after much debating it was agreed, that for keeping peace in the Borders, Hostages should be delivered of either side; *English* men into *Scotland*, and as many *Scots* into *England*. But *Baclugh* failing to deliver his in due time was commanded for satisfying the Queen, to enter himself into *England*, as he did, remaining there from *October* to *February* next.

A Parliament  
at Edinburgh.Articles pre-  
sented in the  
name of the  
Church.

In the moneth of *December* a Parliament was held at *Edinburgh* for restoring of the forfeited Lords to their lands and honours. Amongst the Articles presented to this meeting by the Commissioners of the Church, one was, "That the Ministers, " as representing the Church, and third Estate of the Kingdome, might be admitted to give voice in Parliament, according to the Acts made in favours of the  
" Church,



“Church, and the liberty and freedome thereof. The King was earnest to have the Article granted, and at last obtained an Act to be made, whereby it was declared, *That such Pastors and Ministers as his Majesty should please to provide to the place, title, and dignity of a Bishop, Abbot, or other Prelate, at any time should have voice in Parliament, as freely as any other Ecclesiastical Prelate had at any time by-past. And that all Bishopricks, then in his Majesties hands, and undisposed to any person, or which should happen to fall void thereafter, should be only disposed to actuall Preachers, and Ministers in the Church, or to such other persons as should be found apt and qualified to use and exerce the Office of a Preacher, or Minister, and who in their provisions to the said Bishopricks should accept in, and upon them, to be actuall Pastors and Ministers, and according thereto should practise and exerce the same.*

*An. 1597.*  
Voice in Parliament granted to such Ministers as should be provided to the places, as Bishops, Abbots, or other Prelates.

As concerning the office of the said persons in the spirituall policie and government of the Church, the same was remitted to his Majesty to be advised, and agreed upon with the Generall Assembly, at such time as his Highness should think expedient to treat with them thereupon; without prejudice in the mean time of the jurisdiction and discipline of the Church, established by Acts of Parliament, and permitted to Generall and Provinciaall Assemblies, and other Presbyteries, and Sessions of the Church.

The office for the spirituall government remitted to the Assembly.

This Act gave occasion to the indicting of a Generall Assembly, which convened at Dundie in March next; where the King being present did shew, *That he had anticipated the time of the Assembly* (for the appointment was at Striveling this first Tuesday of May) *that he might be resolved touching their acceptation of the place in Parliament, with the form, manner, and number of persons, that should be admitted to have voices, and thereupon desired them to enter into a particular consideration of the whole points of the Act; and first to reason whether it was lawfull and expedient, that the Ministers as representing the whole Church within the Realm, should have voice in Parliament or not?*

*An. 1598.*  
A General Assembly at Dundie.

This Question being long debated, first in private, by some Brethren selected to that purpose, then in the hearing of the whole Assembly, it was concluded, *That Ministers might lawfully give voice in Parliament, and other publick meetings of the Estate, and that it was expedient to have some alwaies of that number present, to give voice in name of the Church.*

Ministers might give voice in Parliament.

A second Question being moved, touching the number of those that should have voice, it was agreed, *That so many should be appointed to give voice, as of old had place in the Papistickall Church, to wit, 51 persons, or thereby.*

The number to be as many as of old in the Papistickall Church.

Thirdly, touching the election of those that should have voice, it was resolved, *That the same did appertain partly to his Majesty, and partly to the Church.* And because time could not permit the discussing of the rest of the points, as *de modo eligendi*, what rent those Ministers should have, whether they should continue in that office *ad vitam*, or not; what their title should be, and the cautions to preserve them from corruption, with other the like circumstances; the Presbyteries were desired to consider the same thoroughly, and thereafter to meet in their Synods all upon one day, to wit, the first Tuesday of June; and having reasoned upon these heads, to direct three of their number to convene with his Majesty, (the advertisement being upon a moneth at least) and with the Doctors of the Universities; namely Mr. Andrew Melvill, Mr. John Johnston, Mr. Robert wilkie, Mr. Robert Rollock, Mr. Robert Howy, Mr. Patrick Sharp, and Mr. James Martin, at such time and place as his Majesty should think most convenient; with power to them being so convened to treat, reason and conferre upon the said heads, and others appertaining thereto; and in case of agreement, and uniformity of opinions to conclude the whole question touching voice in Parliament; otherwise in case of discrepance, to remit the conclusion to the next Generall Assembly.

The election of those that should give voice, to be made by the King and Church.

Commission for discussing the rest of the points.

The Commissioners proceedings in planting the Church of S. Andrews were at the same time ratified; but the provision of Edinburgh, which they had likewise concluded, made greater business. The King had been induced by the humble intreaty of Mr. David Lindesay, Mr. Robert Rollock, and Mr. Patrick Galloway, to suffer the old Ministers preach again in their places upon their faithfull promises to observe the Conditions following:

Ministers of Edinburgh permitted to preach, upon condition.



An. 1598.

1 That they should not in Pulpit make any apology for themselves further then to say, that they had satisfied his Majesty touching their intentions in the day of the tumult, and that they condemned the raisers thereof, and all that took Arms, or gave command, or allowance thereunto, praising the calme and clement course his Majesty hath taken in censuring the same.

2 That they should at no time thereafter, tax, quarrell, or reproach, directly or indirectly, privately or publickly, any inhabitant of *Edinburgh*, that did shew themselves affectionate to his Majesty; and if any of them should happen to fall in any offence, meriting the censure of the Church discipline, they should in the triall, and censuring thereof use them indifferently, as if they had never kithed contrary to the said Ministers:

3 That they should not in Pulpit speak otherwise then reverently of his Majesties Councill, and their proceedings, and in their Sermons labour to imprint in the peoples hearts a reverent conceit of his Majesty and his actions, so farre as in them lies; and when as they should hear any slanderous or offensive reports of his Majesty, or of any of his Counsellors, his or their intentions, or proceedings, they should address them in all humility to his Majesty, and with due reverence make him acquainted with the reports, receiving his Majesties own declaration therein, whereunto they should give credit, and generally should conform themselves to the order set down in the late generall Assembly thereanent.

4 That they should never hereafter refuse to give accompt of any of their speeches in Pulpit, or of their proceedings elsewhere, but when his Majesty should require the same, they should plainly declare the truth of that they should be asked, in all humbleness and simplicity, without claiming to the generall warrant of conscience not founded upon reason.

Four others named to be joyned with the *Edinburgh* Ministers.

Exception taken at two of the number.

The providing of the Commissioners in the planting of *Edinburgh* allowed.

The Ministers upon these conditions being licenced to preach, and the Town going on in dividing themselves in Parishes, as they had promised, a lite was presented of twelve persons, out of which number the Commissioners of the Church were to elect four, besides the old Ministers, to bear charge in that Ministry, having his Majesties approbation. The four on whom the choice fell, was Mr. *Robert Rollock* Principall of the Colledge of *Edinburgh*, Mr. *John Hall* Minister at *Leth*, Mr. *Peter Hewat*, and Mr. *George Robertson*. Against the two last exception was taken because of their youth, and that they were not men of that gravity which was required in Ministers of such a place. Yet the Commissioners, after triall taken of their qualification, proceeded, and decerned all the four to be admitted.

Hereof the old Ministers complained, with whom the Synod of *Lothian* joyned, who repaired in great numbers to the Assembly, thinking to carry the matter by voices; but when after a long contestation it came to be judged, the decreet of the Commissioners was approved, and a new Commission given to Mr. *David Lindsay*, Mr. *Robert Pont*, Mr. *Robert Rollock*, Mr. *George Gladstaves*, Mr. *Patrick Galloway*, Mr. *James Nicolson*, Mr. *Thomas Buchannan*, and Mr. *John Duncanson*, to place the Ministers in their severall parishes; or if any should refuse to accept, to depose them from the function of the Ministrey, and plant the Church with such others as they should think meet.

Mean while, because of the number that came from *Lothian*, an Act was made, That no Presbytery should thereafter send above two or three Ministers at most in Commission to the Assembly, with one Baron of the bounds and one Commissioner from every burgh, *Edinburgh* excepted, who in all publick meetings were allowed to have two.

About the end of the Assembly, a motion was made for removing all offences conceived by his Majesty against any of the Ministers, and particularly against the Ministers of *Edinburgh*; whereupon the King was pleased to declare, "That for any offences past he did freely remit them, and should never at any time call the same to minde, in hope they would so behave themselves in time coming, as they should still deserve his good opinion. And so did this meeting close with the great content of all; Mr. *John Davidson* onely a man given to contention, finding that things went not to his minde, especially in the planting of *Edinburgh*, to the Ministry

An Act defining the number of Commissioners from Presbyteries to Assemblies. His Majesty pleaseth to remit all offences past of the Ministers. Mr. *John Davidson* protesteth against the conclusions of the Assembly.



Ministry whereof he was always aspiring, did protest in his own name, and in the name of certain other brethren, " That none of the conclusions taken in that Assembly should be of any force, in regard the same was not a free Assembly, but overawed by the King. The Moderator enquiring if any of the brethren would adhere to this Protestation, none was found, all condemning it and the uncivill form he used in making the same; he himself, as his custome was when he made any such trouble, fled away, and lurked a while till his peace was again made. *An. 1598.*

It was now thought that the planting of *Edinburgh* should receive no more delay, yet a new impediment cast in, made no less ado then the former. Mr. *Robert Bruce* had preached ordinarily in the Town some ten years, but had not received Ordination to the Ministry, and being urged therewith, refused, pretending the approbation of the generall Assembly to be equivalent to any ordination. It was replied, *That the approbation he had of the Church, was a licence onely to preach, but being now to receive an office, it concerned them to observe the form prescribed by divers Acts.* But this not satisfying, he denied to yeeld a jot to that, which might question his former calling. And albeit it was offered to be declared at his entry, *That the ordination they used was not to question his former calling, but rather to allow, and confirme the same;* he would not be content, except the declaration was given him in writing. This also yeelded unto, a new difference arose among them upon the form of the declaration, the Commissioners offering *to declare the lawfulness of his calling, and that the imposition of hands they were to use, was not given him as a new intrance to the Ministry, but as one that was taken to be entred to the charge of a particular flock;* he requiring to have it expressly said, *That they did acknowledge him a lawfull Pastor of Edinburgh, as being called by the generall Assembly thereto.*

Question moved for Mr. Robert Bruce who refused the imposition of hands.

Ten days and more were spent in the setting down this form, and after many alterations, at last they came to agree on this, *That the Commissioners did acknowledge his calling to be a Pastor in Edinburgh lawfull, and that the imposition of hands was not used as a ceremony of his ordination to the Ministry, but of his ordination to a particular flock.* The Declaration thus formed, a day was appointed for his admission, and Mr. *Robert Pont*, Mr. *Thomas Buchannan*, and Mr. *James Nicolson*, chosen to perform the same. Mr. *Robert Pont* having preached, and beginning to shew what was the business they met for; Mr. *Robert Bruce* arose, and stepping into the Pulpit, fell a complaining of the strict forms wherewith the Commissioners had used him; which the people hearing, such a tumult was raised, as to all appearance the Ministry that was to use the imposition of hands had been in danger, if the Commissioner Mr. *John Nicolson* a man well respected (being there as one of the Elders, to testify the Churches consent to his admission) had not by his wise and grave speeches reduced them to quietness. Always the business was put off for that day.

A declaration made for his satisfaction.

A tumult in the Church at his admission.

The King advertised of this, was greatly offended, and commanded the Commissioners to cite Mr. *Robert Bruce*, and censure him for the trouble he had made; he compeiring, excused himself, laying the blame on the people, and being charged under pain of deprivation to give obedience, and accept the charge after the form prescribed, was upon the 9 of *May*, the day assigned for his acceptation, admitted by Mr. *David Lindesay*, and Mr. *Alexander Douglas* with imposition of hands. Thus ended that business which made more noise then was needfull, and was judged to proceed rather of wilfulness on his part, then of any good zeal.

Mr. Robert Bruce cited before the Commissioners purge himself of the tumult. He is admitted and receives imposition of hands.

The day appointed of the Synods drawing near the King sent *William Melvill* Commendator of *Tungland*, and Sr. *Patrick Murray*, to attend the Assembly of *Fife*, where it was supposed some new stirs should be made. The Commission given them was, not to suffer any of the Conclusions taken in the last generall Assembly to be drawn in question, and to see that in the other heads left undecided, nothing should be concluded *definitive*. But they found the Synod more peaceable then was expected, and all things caried therein to the Kings minde, Mr. *Thomas Buchannan*, Mr. *George Gladstaves*, and Mr. *John Fairfoull* being chosen Commissioners for meeting with these that should be sent from the other Synods.

Commissioners directed to Synod of Fife.

The report of this gave the King hopes of a good issue to the conference intended; whereupon letters were sent desiring the Doctors of the Universities, and

A meeting at Falkland for determining the vote of Com-Parliament.



An. 1598. Commissioners of the Synod to be at *Falkland* the 29 of *July*. There after a long deliberation, it was with an unanime consent agreed;

1 Touching the manner of his Election, who should have voice in Parliament, that the Church should name for each Prelacy that was void, six of their number; of whom the King should take one; or if his Majesty did not like any of those six, that as many others should be recommended by the Church; of which number he should accept one, without any more refusall.

2 That the nomination should be made by the generall Assembly, with advice of the Synods, and Presbyteries, who should present the generall Assembly in writing, the names of the persons as well without, as within the bounds of their Jurisdiction: providing if there was any person within the bounds meet and qualified, he should be preferred, *ceteris paribus*.

3 Concerning his rent, that the Churches being sufficiently planted; and no prejudice done to Schools, Colledges, and Universities already erected, he should be provided to all the rest of the Prelacy whereunto he is preferred.

4. The Cautions to preserve him should be these.

Caveats for  
eschewing of  
corruption.

1. That he should not propone to Councell, Convention, or Parliament, in name of the Church, any thing without expresse warrant, and direction from the Church, neither should he consent, nor keep silence in the said Conventions if any thing was moved prejudiciall to the weal, and liberty thereof, under pain of deposition from his office.

2 Next he should be bound to give an accompt of his proceedings in the discharge of his Commission to every generall Assembly, and obtain their ratification of the same; submitting himself to their judgement, without making any appeal, under the pain of infamy, and excommunication.

3 He should content himself with that part of his Benefice which should be given him for his living, and not hurt nor prejudice the rest of the Ministers within his Benefice, planted or to be planted, nor any other Minister in the Countrey whatsoever; and this clause to be inserted in his Provision.

4 He should not delapidate his Benefice in any sort, nor make any set, or disposition thereof, without the speciall advice or consent of his Majesty, and the generall Assembly. And for the greater warrant should interdict himself, and be content that inhibition be raised against him to that effect.

5 He should be bound to attend the congregation faithfully, at which he should be appointed Minister, in all the points of a Pastor, and be subject to the triall, and censure of his own Presbytery, or provincially Assembly, as any other of the Ministers that bear no Commission.

6 In the administration of discipline, collation of benefices, visitation, and other points of Ecclesiasticall government, he should neither usurp, nor claim to himself any more power or jurisdiction, then any of his brethren, except he be employed, under pain of deprivation; and in case he do usurpe any part of the Ecclesiasticall government, the Presbytery, Synod, or generall Assembly opposing and making impediment thereto, whatsoever he should do thereafter should be null *ipso facto*, without any declaratour.

7 In Presbyteries, Provincially, and generall Assemblies he should behave himself in all things as one of the brethren, and be subject to their censure.

8 At his admission to the office of Commissioner he should swear and subscribe all these and other points necessary, otherwise he should not be admitted.

9 If it should happen him to be deposed from the Ministry by the Presbytery, Synod or generall Assembly, he should lose his place in Parliament, and the Benefice be void *ipso facto*.

10 That he should be called Commissioner of such, or such a place; if so the Parliament be induced by his Majesty to accept that title; otherwise the generall Assembly should consider and determine the same; as also how long he should continue



continue in office, whether *ad vitam*, except some offence make him unworthy, or for a shorter space, at pleasure of the Church.

An. 1598.

It was neither the Kings intention, nor the minds of the wiser sort, to have these *Cautions* stand in force, (for to subject the decrees of Parliament to the Assembly, as in the *second* caution; or to interdict Churchmen, as in the *fourth*, and serve Inhibitions upon them, were things absurd) but to have matters peaceably ended, and the reformation of the policy made without any noise, the King gave way to these conceits, knowing that with time the utility of the Government, which he purposed to have established, would appear, and trusting that they whom he should place in these rooms, would by their care for the Church, and their wise and good behaviour purchase to themselves the Authority which appertained.

His Majesties purpose in giving way to these conclusions.

He had also matters of greater importance in hand, which made him desire to be settled, in some sort, with the Church: from *June* preceding he had directed an Ambassage to the Princes of *Germany*, wherein *David* Bishop of *Aberdene* and *Sr. Peter Young* his Elemosynar, men of good abilities and learning, were employed. Their Commission was, to inform the Princes of his right and title to the Crown of *England*, after the death of the Queen *Elizabeth*. and to request their assistance, if he should stand in need thereof. The Queen was then stricken in years, and diverse libells, and pamphlets divulged against his title to that Crown, which made him careful to have his friends rightly informed, and to understand what aid he might expect if opposition should be made; "Not that he minded (this they were willed to declare) to wrong or offend the Queen in any sort, whom he loved, and honoured as his Mother, wishing her many and happy days, but onely to strengthen himself against unjust pretenders; and if in the mean time they should be pleased by a common Ambassage to entreat the Queen to declare in her own time the right successor, for preventing the plots and practises of enemies, he would take it for a singular friendship at their hands.

Ambassadors directed to the Princes of Germany.

It was a painfull Ambassage, and by them faithfully discharged; for taking their journey by *Denmark*, as they were directed, and receiving letters commendatory from that King to the Princes, they travelled to *Udalrick* Duke of *Megleburgh*, *Maurice* Landgrave of *Hesse*, *Frederick* Duke of *Saxony* and administrator of the Electorate, *Henry* Duke of *Brunswick*, *Fohn* *Adolph* Duke of *Gleswick*, and *Foachim* Marquesse of *Brandenburgh*, and having communicated their message to them all severally returned not before the end of the year. Of all the Princes they obtained an answer in substance, which was, *That albeit his Majesties right was not unknown unto them, they did esteem it an act of great wisdom in him, to make his friends acquainted with the exceptions taken against his Title, that when occasion required, nothing might be wanting that lay in their power. But to move the Queen for declaring her successor, they held it dangerous, and feared it should not so much promote the business, as offend her. Always they should advise, and take counsell with their confederates and allies, and follow the course which was most likely for his benefit.* This was the summe of the answer they returned.

The success of that Ambassage.

The 24 of *December* the Queen was brought to bed of another daughter, who was christened in the Chappell of *Halirudhouse* the 15 of *Aprill*, by Mr. *David* *Lindesay* Minister of *Leth*, and named *Margaret*. The Earle of *Montross* (created Chancellor in *January* preceding) with the Lord *Hamilton* and Earl of *Huntley*, assisted as witnesses. These last two were at the same time preferred to the honour and dignity of Marquesses.

The Queen brought to bed of a daughter.

*Hamilton* and *Huntley* created Marquesses.

There died within the compass of this year divers worthy men, amongst whom Mr. *Fohn* *Lindesay* of *Batharres* Secretary to the King, shall first be named; a man honourably descended, of exquisite learning, and a sound judgement, held worthy by all men of the place he had in the Senate, both for his wisdom and integrity: he died of the Stone, wherewith he had been pained many years.

Mr. *Fohn* *Lindesay* Secretary dieth.

Next to him Mr. *David* *Carnegy* of *Colluthy*, a wise, peaceable, and sober man, in good credit and estimation with the King, and taken into his privy Councell for his skill, and knowledge in civill affairs.

The Lord of *Colluthy* his death.

And



An. 1598.

Mr. Thomas  
Buchanan his  
death.David Ferguson  
his death.The death of  
Mr. Robert  
Rollock most  
lamented.His behaviour  
in the time of  
his sickness,  
and at his dy-  
ing.

An. 1599.

Alteration of  
some officers  
of State.The Earl of  
Cassils made  
Treasurer.Lord Elphing-  
ston succeeded  
Treasurer.  
Sr. William  
Bowes Amba-  
sador from  
England.

And in the Church Mr. *Thomas Buchanan* Provost of *Kirkcench* and Minister of *Syres*, a man learned, wise, and a strong defender of the Churches rights, having attained to a good age, he dyed of a bruise which he received of a fall from his horse.

*David Ferguson* Minister of *Dunfermlin* of the age of 65, departed also this life the same year. A good preacher, wise, and of a jocund and pleasant disposition, which made him well regarded both in Court and Countrey.

But the death of Mr. *Robert Rollock*, taken away in the 43 year of his age, and in the time when the Church had greatest need of his service, was beyond all the rest lamented. This man was born not farre from *Striveling*, and trained up in letters under Mr. *Thomas Buchanan*, who did then keep a famous School in that time. He passed his course in Philosophy at *S. Andrews*, and no sooner received the degree of a Master in Arts, then he was chosen Regent of the Colledge of *S. Salvator*, where he had studied. In the year 1583 he was removed to *Edinburgh*, and made Principall of a Colledge, which the Town had there erected; where by his Lectures of divinity in the Schools, and his Sermons to the people (in both which he was assiduous) he came to be greatly esteemed. But the 17 days tumult and troubles that followed thereupon, withdrawing him against his minde to the keeping of Assemblies, and other Commissions of the Church, he was thereby much weakened; for he was of an infirm body, and grievously pained with the Stone, whereof at last he died. In his sickness being visited by his brethren of the Ministry, amongst other pious exhortations, he did earnestly beseech them, *to carry themselves more dutifully towards the King, lamenting he should be so ill used by some of their number*: and gave them a most comfortable farewell. His torments were extreme, yet was he not heard to use an impatient word; but was still calling on God, with these and the like sayings, *Hast Lord Jesus, and tarry not, put in thy hand and take this soul away to thy self*. At other times, *Goe out silly life, that the better life of God may enter in*. Drawing neer his end, he repeated a part of the 6 Psalm, and framing a most pithy prayer out of the same, as one exulting after victory, he cried aloud, *Christ hath taken my yoke to bear, and now strengthened by his grace, I will follow*: with which words he yeilded up his spirit. A rare example of holiness he was both in his life and death; albeit now dead, still preacheth by his learned works, which it is pity should not be collected in one volume, and preserved to posterity. He deceased the last of *February*, and had his corps honourably interred in the buriall place, an innumerable multitude accompanying the same to the grave.

To return to the Estate, the necessities of the King by forain Ambassages, and other extraordinary employments daily encreasing, he was forced to look the more narrowly to the administration of his rents; for the ill managing whereof, the Laird of *wedderburne* was put from his place, and the office of Controulerie given to Sir *David Murray*, who was afterwards preferred to the Lordship of *Scone*. The Prior of *Blantyre* who was Treasurer, for that he had offended the King by his partiall behaviour in an action betwixt Mr. *Robert Bruce* and the Ministers of *Angus*, was committed to the Castle, and forced to resigne his office, which was conferred upon the Earl of *Cassils* by his Ladies procurement. She was the widow of the Lord *Thirlstan*, and said to be wealthy, which induced him to take her to wife, against the counsel of all his friends, who could not away with the imparity of their age, he being a young Nobleman never matched to any, and she a woman past childbirth. But the desire he had to keep his estate made him take that course, and she loving to stay at Court and have her husband a ruler of affaires, made offer to advance some moneys so as he might carry the place, which was readily accepted. Yet was it not long before they did both forthink the bargain, being pressed with a multitude of precepts for the laying forth of money, and so were glad to quit the office, with the losse, as was said, of Forty thousand marks, which he did advance at his entry. In his place was the Lord *Elphingston* chosen by the recommendation of his brother, then Secretary.

Whilest these thngs were a doing in Court, Sir *William Bowes* came Ambassadour from *England*, upon some rumours that the King wes declining to Popery, and



and had offered his obedience to the Bishop of *Rome* by a letter, the copie where-  
of was brought by the Master of *Gray* from *Rome*, and shewed the Queen, of  
purpose to divide the two Princes, and dissolve the amity which was amongst  
them. *An. 1599.*

The Queen, though she did take the letter to be faigned, and that the same  
was devised to breed a jealousie between her and the King, thought meet to adver-  
tise what was rumoured, and to advise him not to build upon the friendship of  
*Rome*. The King did take the advertisement well, and made the Ambassadour  
very welcome, assuring him that they were false and faigned calumnies: neither  
did the King think any other at that time. Such a letter indeed was sent to the  
Pope, and the Kings hand surreptitiously gotten thereto, for which the Secretary  
Mr. *Elphinston*, was some years after upon his own confession convicted, as we  
shall hear.

Whilest this Ambassadour remained in the Countrey, there fell out an accident  
which had almost wrought great trouble: an English man called *Ashfield*, who  
had brought some hunting horses to the King, and cunningly abused the English  
Warden, did make his aboad at Court, and was there well entertained. The Am-  
bassadour, whether desired by the Queen or the Warden, it is uncertain, caused  
some of his servants keep company with the man, and allure him one day to *Leth*,  
where having drunk liberally, he was by Coach, instead of returning to Court,  
carried to *Berwick*. This being told the King, he was greatly offended, and giving  
order to watch the Ambassadors lodging, sent to *Berwick* to bring back the  
man. The Governour prayed the King to have him excused, for that the man be-  
ing come within his charge, he could not dimit him without the Queens know-  
ledge.

One *Ashfield*  
conveighed  
privately to  
*Berwick* by two  
of the Amba-  
sadors ser-  
vants.

The King receiving this answer, did challenge the Ambassadour as not  
having carried himself dutifully, and wronged both him and the Countrey; but  
he denying the fact, affirmed the same to have been contrived by two of his ser-  
vants without his knowledge and direction. This none did believe, neither did  
the King vouchsafe him any more countenance. Whereupon he parted in a  
great discontent.

Soon after the King went to *S. Andrewes* for a new visit of the Universitie,  
where it was ordained, *That there should be yearly upon the 3 of March, a Dean of fa-  
cultie of Theologie elected by the Doctors, the Ministers resident within the City, and the  
principall Masters of the Colledges: which Deane so chosen should have the like privi-  
ledge and jurisdiction upon the students and professors of Theologie, that the Deans of Phi-  
losophy had by the foundation over the professors thereof: with expresse provision, that  
that he who was elected Dean, should not till after three years space be received again into  
the office.*

A visitation  
of the Univer-  
sity of *S. An-  
drewes*.

A Deane in  
faculty appoin-  
ted in *Theology*.

Other conclusions were taken for distributing the Students of Theologie  
in Classes, and their yearly examination; but were ill observed.

At this time came forth sundry Discourses touching the succession of the  
Crown of *England*, some oppugning, some maintaining the Kings title: amongst  
others Mr. *John Colvill* taking upon him one of the opposite Treatises did publish  
a recantation, wherein having confuted all the contrary reasons he protested, *that in  
malice in time of his exile he had penned the Treatise, which then out of conscience he  
refuted.* This was believed of many, and helped greatly to discredit the adver-  
sary writings; yet was he not the Author of that which he oppugned; only to  
merit favour at the Kings hands he did profess the work that came forth without  
a name to be his: and indeed a more pithie and perswasive Discourse was not pen-  
ned all that time in that subject.

Discourse of  
his Majesties  
Title to the  
Crown of *Eng-  
land*.

The same year did the King publish his *Doron Basilicon* upon this occasion; Sir  
*James Semple* one of his Majesties servants (whose hands was used in transcribing  
that Treatise) upon an old familiarity with Mr. *Andrew Melvill*, did give it him  
to read, who offending with some passages that touched the Ministry and present  
discipline, took copies thereof and dispersed the same amongst the Ministers; there-  
upon a Libell was formed, and cast in before the Synod of *S. Andrews*, wherein  
the

The King  
publisheth his  
*Basilicon Doron*  
by occasion of  
a libell.



An. 1599.

Mr. John Dikes  
fugitive for the  
libell.The book well  
received in  
England.A trouble for  
receiving  
some English  
Comedians.A generall As-  
sembly of the  
Church.The voice in  
Parliament  
determined.Two Caveats  
more added.The state of  
Bishopricks at  
that time.Bishops ap-  
pointed for  
Ross and Cash-  
nes.

the passages at which they excepted, being first set down; it was asked, *What Censure should be inflicted upon him, that had given such instructions to the Prince,* (for that Treatise was directed to Prince Henry) *and if he could be thought well affected to religion, that had delivered such precepts of Government?* Sir Patrick Murray and Mr. James Nicolson being present in the Synod, as Commissioners for the King, and apprehending the libell to concern his Majesty, made diligent enquiry to find out the presenters. The whole number pretending ignorance, the Commissioners commanded the doors to be shut, and the Roll of the Ministers names to be called, who being put to their oath one by one did purge themselves. yet was it tried the very next day to be laid on the table by Mr. John Dikes Minister at Anstruther, who being therefore cited before the Councell was fugitive and denounced Rebell. The rumor by this occasion dispersed, that the King had left certain directions to his son, prejudiciall to the Church and Religion; he took purpose to publish the work, which being come abroad, and carried to England, it cannot be said how well the same was accepted, and what an admiration it raised in all mens hearts of him, and of his piety and wisdom. Certain it is that all the Discourses that came forth at that time (and those were not a few) for maintaining his right to the Crown of England, prevailed nothing so much as did the Treatise, against which such exceptions had been taken.

In the end of the year happened some new jarrs betwixt the King and the Ministers of Edinburgh, because of a company of English Comedians whom the King had licensed to play within the Burgh: The Ministers offending with the liberty given them, did exclaim in their Sermons against *Stageplayers*, their unruliness and immodest behaviour; and in their Sessions made an Act *prohibiting people to resort unto their plaies under pain of the Church censures*; The King taking this to be a discharge of his Licence called the Sessions before the Councell, and ordained them to annull their Act, and not to restrain the people from going to these Comedies; which they promised, and accordingly performed; whereof publication was made the day after, and all that pleased, permitted to repaire unto the same, to the great offence of the Ministers.

The next year which by publick Ordinance was appointed to have the beginning at the Calends of January, and from thenceforth so to continue (for before that time, the year with us was reckoned from the 25 of March) there was an Assembly kept at Montrosse the 28 of March, where the King himself was present: Therein that great business of the Churches voice in Parliament was determined; and first the conclusions taken at Falkland in July 1598, were ratified. Then touching the continuance of those that should be chosen to give voice for the Church, it was after much debating concluded; *That he who was admitted should yearly render an account of his Commission to the generall Assembly, and laying the same down at their foot should be therein continued, or if his Majesty and the Assembly did think fit to employ another, he should give place to him that was appointed.* Two points more were adjoynd to the former; one was, *That they who had voice in Parliament, should not have place in the generall Assembly, unless they were authorised by a Commission from the Presbyters, whereof they were members.* The other caveat was, *That crimen ambitus should be a sufficient reason to deprive him both of his place and office.* And now there rested no more but to nominate persons to the Bishopricks that were void; Aberdene and Argile had their own incumbents at the time, both actual preachers; S. Andrewes and Glasgow were in the hands of the Duke of Lennox; Murray possessed by the Lord Spinie; Orkney, by the Earl of Orkney; Dunkeld, Birchem, and Dumblane, had their own titulars, but these were not ordinary preachers; Galloway and Isles were so dilapidated, as scarce they were remembered to have been. Only in Ross and Cathnes some provision was left, whereunto by consent of the Church, Mr. David Lindesay and Mr. George Gladstaves were presented; the first to the Bishoprick of Ross, the other to Cathnes, who notwithstanding continued still serving in their Churches at Leth, and S. Andrewes, for as yet they could not find any settling in their Dioceses. Besides the conclusion taken in this business, divers other good Acts were concluded at that time, as may be seen in the book of Records.

Some



Some three weeks before this convention *John Dury* Minister at *Montrose* departed this life; he was born at *Machline* a little village in the Countrey of *Kill*, and trained up a while in letters in the Town of *Aire*; after which he was sent to *George Dury* his Cousin, Abbot of *Dunfermlin*, and placed by him among the Monks of that Abbey, where he lived three years, then falling in some suspicion of that which they called Heresie, and delated thereof to the Abbot, after triall taken he was condemned to be immured, that is, to be shut up between two walls, till he died. Yet by the means his friends made with the worthy Nobleman the Earl of *Arran*, he was delivered, and shortly after the reformation admitted to the Ministry, in which he served first at *Hales* neer to *Edinburgh*, then at *Leth* and when the civill troubles ceased, translated to *Edinburgh*, where he continued Minister the space of 10 years. A man earnest and zealous in every thing he gave himself unto, but too credulous (a fault incident to the best natures) and easily abused by those he trusted; which bred him great trouble whilst he remained at *Edinburgh*. In *Montrose* where he was first confined, and whereof soon after he became Minister, he lived well respected, and in great quietness: making it appear, that the many contests and strifes he had in former times, proceeded not from his own disposition, so much as from the suggestion of others. For all the sixteen years he lived there, no man did carry himself with greater modesty, nor in a more dutifull obedience, and was therefore well beloved and esteemed by the King. He wished earnestly to have lived unto the meeting of the Assembly, that he might have declared his mind touching the matters then in hand; but when he perceived his sickness increasing, and that he should not continue so long, he intreated some brethren to visit him, to shew the Assembly as from him, *that there was a necessity of restoring the ancient government of the Church, because of the unruliness of young Ministers, that could not be advised by the elder sort nor kept in order; and since both the estate of the Church did require it, and that the King did labour to have the same received, he wished them to make no trouble therefore, and to insist only with the King, that the best Ministers and of greatest experience might be preferred to places.* This as he directed was reported to the Assembly, and of the greatest part well received: for he was certainly a sound hearted man, and farre from all dissimulation, ever professing what he thought, and following the course he thought most expedient for the Church. To the poor he was exceeding helpfull, compassionate of those that were in any distresse, and mercifull even when he seemed most severe. He dyed the last of *February* in the 63 year of his age.

It was in *August* this year, that the conspiracy of *Gowry* fell forth; a conspiracy plotted by him alone, and only communicated to *M. Alexander* his brother; two youths of great hope, at whose hands no man could have expected such an attempt. Their father had been taken away by force of justice in the 1584, whilst the King was yet Minor, and forced he was unto it as unto many other things that agreed not with his mind. But the care he took of the Noblemans children and kindness wherewith he used them, did shew how much he disliked that proceeding; for he restored the eldest to his fathers honour and living, his brother *Alexander* he made one of his bedchamber; a sister of theirs he preferred to be chief maid about his Queen, and had a purpose to advance the Earl himself to a principall office of the Kingdom. Such and so great benefits might have endeared the most barbarous and hard hearted. But benefits are no benefits to the malicious, and those that are set for revenge. The device was, to allure the King to the Earls house in *Perth*, and there to kill him. The King was then remaining in *Falkland*, and one day early in the morning (it was the fifth of *August*) as he was going to take his sport in the Park, *Alexander* meets him, and telleth that his brother had intercepted a man, a Jesuit as he supposed, with a great quantity of gold, and that he kept the man fast in his house at *Perth*, and sent him with the newes, praying the King to make hast, for that he doubted not he should learn things worthy of his travell. The King moving some questions touching the mans stature and habit, and the place where he was taken, received no other answer, but that his brother would satisfie all those things at his coming; which put

An. 1600.

*John Dury* Minister at *Montrose* his death, with a short description of his life.

The conspiracy of the Earl of *Gowry*.

The Kings kindness to his brethren and sister.

The plot contrived for entrapping the King.



An 1600.

The King go-  
eth to Perth.Gowry meet-  
ing the King  
was much  
troubled.Mr. Alexander  
did move the  
King to goe  
with him.Mr. Alexander  
professeth what  
he was about.The Kings  
voice heard,  
and is discern-  
ed.Sir Thomas A-  
reskin chal-  
lengeth Gow-  
rie.John Ramsay  
doth first re-  
lieve the King.

him in a suspicion that the Gentleman was distracted, for he observed in him some perturbation; yet because of the instance he made he yielded to goe, willing him to ride back, and shew that he would be with his brother before dinner.

After a short chace and a Buck killed the King made towards *perth*, accompa-nyed with the Duke of *Lennox*, the Earl of *Marre* and a few Gentlemen more, all in their hunting coats. By the way, the King did ask the Duke of *Lennox*, if he had known Mr. *Alexander* (for the Duke had married his sister) at any time troubled or distempered in his wits. The Duke answering that he had never known any such thing in him; the King insisted no further. Being come to the Town the Earl did meet him, and was noted by all the company to be in some trouble of mind, the very imagination of the fact he went about, perplexing his thoughts. But he coloured all with the want of entertainment, saying, that he did not expect the King, and that his dinner was not prepared. The King wishing him not to trouble himself with those thoughts, because a little thing would content him; and for the Noblemen a part of his dinner would suffice them, they discoursed of hunting and other common matters till meat was dressed. Howsoon the King had taken a little refreshment, and the Lords were placed at a table in another room, Mr. *Alexander* did round in the Kings ear, that the time was fit whilest the Lords were at dinner, to goe and examine the stranger: at which word the King arose, and went up stairs, Mr. *Alexander* going before him. The King did call Sir *Thomas Areskin* (afterwards Earl of *Kelly*) to follow him, but Mr. *Alexander* turning at the door, after the King was entered, said that the King willed him to stay below, whereupon Sir *Thomas* went back. Thus the door was shut, and Mr. *Alexander* guiding him to an inner room, the King did perceive a man standing alone, whereupon he asked if that was the man: nay said Mr. *Alexander* there is another business in hand, and with that word covering his head, You remember, said he, how you used my father, and now must you answer for it. *Your father!* answered the King; *I was not the cause of his death; it was done in my minority by forme of Justice. But is this your purpose, and have you trained me hither to murder me? Did you learn this lesson of Mr. Robert Rollock your Master? or think you when you have done your will to goe unpunished?* Mr. *Alexander* stricken with the speeches, and the man who was placed there to assist him, trembled for fear, desired the King to be quiet, and make no noise, for that he would go speak with his brother, and pacify him; this said he went down a back way, as it seemed, to the Court below.

Whether he did meet with his brother at that time or not, is unknown, but his stay was short, and when he returned, he said to the King, There is no remedy, you must die. Then making as though he would tie the Kings hands, they fell a wrestling, and the King drawing him by force to a window in the corner that lookt toward the street, as he espied the Earl of *Marre*, cried, *Help Earl of Marre, help.* The voice and words were discerned by all the Lords, and Gentlemen, who thereupon ran to seek the King, by the way that went up: but the doors being shut, there was no entry that way till the same was broke by force, which took up a large time. Upon the first cry Sir *Thomas Areskin* suspecting treason did flee upon *Gowrie*, and taking him by the gorge said, *Thou art the traitour*; but they were quickly sundered by his servants that stood by. The first that came to the King was a Page called *John Ramsay*, who falling upon a back passage by which the Traitors after the deed committed had purposed to escape, found the King and Mr. *Alexander* struggling, the King calling to him and bidding him strike the Traitor, he gave Mr. *Alexander* two or three wounds with his Dagger, and so parted him from the King. The man who was placed there to assist Mr. *Alexander*, did steal away secretly; and he himself perceiving that the treason was discovered made down the stairs, where being encountred by Sir *Thomas Areskin*, and askt how the King was, because he gave no direct answer, and only said, *that he took God to witness, that he was not in the fault*, he thrust him through the body, and killed him outright.



Sir *Thomas* was followed by *Hugh Hereife* Doctor of Medicine, and a Foot boy named *Wilson*, who seeing the King safe, were not a little joyed, and placing him in a little room, and shutting the door, they prepared to defend the entry. *Gowry* accompanied with three or four servants breaketh presently into the chamber, and with his two swords one in each hand, puts them all to their shift, and had undoubtedly overthrown them, but that one of the company crying, *You have killed the King our Master, and will you also take our lives?* He became astonished and setting the points of his two swords to the earth, as if he minded to cease from any more fight, he was instantly stricken by the Page with a rapier which pierced the heart, so as he fell down dead. The servants seeing him fall made away; only Master *Thomas Cranston* being sore wounded, and not able to shift for himself was apprehended. In this fight Sir *Thomas Areskin* and Doctor *Hereife* were both hurt, but nothing dangerously.

An. 1600.

The Kings servants prepare to defend.

*Gowrie* entereth, and after a little space is killed.

The Lords come to the King.

By this time the doors of the other passage being made open, the Lords and a number with them entred into the room, who hearing what happened went all to their knees, and the King himself conceiving a prayer, gave thanks to God for his deliverance, and that the device of those wicked brothers was turned upon their own heads. The danger that ensued was not much lesse, for the people of the Town taking up armes did inviron the house, crying *to give them out their Provost, otherwise they should blow them all up with powder.* The rage of the multitude was great, (for they loved the Earl, as being their Provost, beyond all measure) and with great difficulty were they kept back from using violence: at last the Bayliffs and certain of the Citizens being admitted to enter, and brought to the King, when they were informed of the truth of things, returned and pacified the people. After which the King took horse and returned to *Falkland*, where he was welcomed (the rumour of the danger having prevented his coming) with great acclamations of joy.

The danger by the people of the Town.

It was observed not without some wondering, that after *Gowrie* was killed there issued no blood for a good space from his body, till his girdle being loosed and taken from him, the same gushed from him in abundance: this was supposed to be the effect of some Characters that he did alway carry in a little bag at his girdle, which being viewed, were found to be certain spells of Necromancers, and added much to the infamy of his death.

The Characters found at the Earls girdle.

A diligent search was made the daies following for the man the King saw standing in the room, and large rewards promised to those that should finde him out. In this search one of the Earls servants called *Henry Younger*, hiding himself out of an idle fear among some growing corns was killed, and for some daies was supposed to have been the man, till *Andrew Henderson* Chamberlain to *Gowrie*, discovering himself to the Controller, did offer upon promise of his life, to enter and shew all that he knew in that business. An other of *Gowries* servants surnamed *Craigengelt* was some 2 daies after apprehended, and both he & M. *Tho: Cranston* executed at *Perth*, though at their dying they declared that they knew nothing of the Earls purpose, and had only followed him as being their Master unto that room, where, if they had known the King to have been, they would have stood for him against their Master and all others.

Some servants of *Gowrie* executed.

*Henderson* at his examination declared, That the night preceding the attempt, the Earl had directed him to attend his brother Mr. *Alexander*, and doe what he commanded. That accordingly he accompanied him the next morning to *Falkland*, and when they were returned being commanded by Mr. *Alexander* to dresse himself in armour, and go wait til he came unto him in an upper room, he obeyed. But that he could not imagine any purpose against the King, either in him or in the Earl. nor would have believed it unlesse he had seen the same with his eyes. Being demanded, why he did not take the Kings part when he did see them fall a wrestling, he excused himself by a sudden fear that overtook him in the time; and indeed he lookt ever after that time as one half distracted. It was much marvelled that in so high an attempt the Earl should have made choice of such a one: but the man was of a servile spirit, and apt enough to doe mischief; and many have conjectured

*Andrew Henderson* his confession.



An. 1600.

that if the treason had taken effect, it was in the Earls purpose to have made away both his brother and him, that he might not be supposed to have had any knowledge thereof. I remember my self that meeting with Mr. *William Comper* then Minister at *Perth* the third day after in *Falkland*, he shewed me that not many daies before that accident visiting by occasion the Earl at his own house, he found him reading a book entituled, *De conjurationibus adversus Principes*: and having asked him what a book it was, he answered, "That it was a Collection of the Conspiracies made against Princes, which he said was foolishly contrived all of them, and "faulty either in one point or other; for he that goeth about such a business should "not, *said he*, put any man on his counsell. And he not liking such discourses, desired him to lay away such books, and read others of a better subject. I verily think he was then studying how to go beyond all Conspirators recorded in any History: but it pleased God, *who giveth salvation to Kings*, as the Psalme speaketh, to infatuate his counsels, and by his ensample to admonish all disloyall and trayterous subjects to beware of attempting against their Sovereigns.

The Ministers of *Edinburgh* required by the Councell to give thanks for his Majesties deliverance.

Their excuse, and refusing to obey.

The Bishop of *Rosse* giveth thanks at the Market-crosse.

The King cometh to *Edinburgh*.

Master *Patrick Galloway* his preaching at the Crosse.

1000 l. mortified to the poor at *Scone*.

A solemn thanksgiving appointed for the Kings deliverance.

The Ministers of *Edinburgh* removed from their places.

Three of the number acknowledging their fault, are pardoned.

Mr. *James Balfour* remitted.

Advertisement sent the next day to the Councel, which then remained at *Edinburgh*, the Ministers of the Town were called and desired to convene their people, and give thanks unto God for his Majesties deliverance. They excusing themselves, *as not being acquainted with the particulars, nor how those things had fallen out*; it was answered, that they were only to signifie, how the King had escaped a great danger, and to stirre up the people to thanksgiving. They replied, *That nothing ought to be delivered in pulpit but that whereof the truth was known, and that all which is uttered in that place should be spoken in faith*. When by no perswasion they could be moved to perform that duty, it was resolved that the Councell should go together to the Market-crosse, and that the Bishop of *Rosse* should after a narration of the Kings danger, and deliverance, conceive a publick Thanksgiving: which was done, the multitude applauding and expressing a great joy.

The Munday following, the King came to *Edinburgh*, accompanied with divers Noblemen and Barons, and heard a Sermon preached at the Crosse by Mr. *Patrick Galloway*, who choosed the 124 Psalme for his Theme, did take occasion to discourse of all the particulars of that Conspiracy, and gave the people great satisfaction: for many doubted that there had been any such Conspiracy, *the condition of Princes beeing*, as the Emperor *Domitian* said, *herein miserable, that even when Conspiracies made against their persons are discovered, yet they are not credited, unlesse they be slain*. The next day the King in a solemn Councell kept at *Halirudhouse*, to testifie his thankfulness for his deliverance, and to perpetuate the memory thereof, did mortifie for the entertainment of some poor men the rent of 1000 pounds yearly to be taken of the readiest fruits of the Abbacy of *Scone*, and ordained an honourable reward to be given to the three Gentlemen that had been the instruments of his preservation, and the cause of the reward to be specified in their Patents.

After this, order was taken for a publick and solemn Thanksgiving to be made in all the Churches of the Kingdome, and the last Tuesday of *September* with the Sunday following appointed for that exercise.

The Ministers of *Edinburgh*, who gave the refuse, were commanded to remove themselves out of the Town within 48 hours, and inhibited to preach within his Majesties Dominions under pain of death. Mr. *Walter Balcanquell*, Mr. *William Watson*, and Mr. *John Hall*, three of that number, compeiring at *Striveling* the 10 of *September*, and declaring, *That they were thoroughly resolved of the truth of Gowries Conspiracy, and willing to amend their former fault*, were pardoned upon condition, *that before their return to Edinburgh they should in the Churches appointed to them, publicly preach, and declare their perswasion of the truth of that treason, craving God and his Majesty forgiveness for the question they made thereof; and rebuking all such as continued in that doubtfulness*. The Churches designed to them were *Tranent*, *Mussilburgh*, and *Dalkeith* for Mr. *Walter Balcanquell*, *Dunbar* and *Dunf* for Mr. *William Watson*, and for Mr. *John Hall*, *Dunfermlin*, *S. Andrews*, and *Perth*.

Mr. *James Balfour*, the day following, upon the like confession was remitted, and ordained to publish his resolution in the Churches of *Dundie*, *Montrose*, *Aberbrothock*, and *Brichen*.

But



But Mr. Robert Bruce, taking a course by himself, and saying, *He would reverence his Majesties reports of that accident, but could not say he was perswaded of the truth of it,* was banished the Kings Dominions, and went unto France.

The 15 of November a Parliament was held at *Edinburgh*, wherein sentence of forfeiture was pronounced against *Gowrie* and Mr. *Alexander* his Brother, their posterity disinherited, and in detestation of the paricide attempted, the whole surname of *Ruthven* abolished. But this last was afterwards dispensed with, and such of that name as were known to be innocent, tolerated by the Kings clemency to enjoy their surnames and titles as in former times. The bodies of the two brothers being brought to the Parliament house were after sentence given hanged upon a gibbet in the publick street, and then dismembred, their heads cut off, and affixed upon the top of the prison house. This done, the Estates in acknowledgment of the favours and grace they all had received of God, by the miraculous and extraordinary preservation of his Majesty from that treasonable attempt, did ordain, *That in all times and ages to come the fifth of August should be solemnly kept with prayers, preachings, and thanksgiving for that benefit, discharging all work, labour, and other occupations upon the said day, which might distract the people in any sort from those pious exercises.*

Divers other good and profitable Acts as well for the Church as Kingdome were concluded in this Parliament, as the Act decerning *all Marriages contracted betwixt persons divorced for adultery to be null, and the children begotten by such unlawfull conjunction incapable of succession to their parents inheritance.* As also the Act made for removing and extinguishing of deadly feuds, which the King had ever striven to abolish, was in that time confirmed by the whole Estates.

Upon the close of the Parliament the King went to *Dunfermlin* to visit the Queen, who was brought to bed of a Son. The Christening was hastned because of the weakness of the Childe, and that his death was much feared. He was named *Charles*, and contrary to the expectation of most men grew unto years and strength, and survived Prince *Henry* his elder brother, reignes happily this day over these Kingdomes; which that he may long doe, is the desire and wish of all good subjects.

In the end of the year Mr. *John Craig* that had been Minister to the King, but through age was compelled to quit the Charge, departed this life. This man whilest he lived was held in great esteem, a great Divine and excellent Preacher, of a grave behaviour, sincere, inclining to no faction, and which increased his reputation, living honestly, without ostentation or desire of outward glory; many toffings and troubles he endured in his time, for being left young and his Father killed at *Flowdon*, after that he had got an entrance in Letters, and passed his course in Philosophy in *S. Andrews*, he went to *England* and waited as Pedagogue on the Lord *Dacres* his children the space of two years. Warres then arising betwixt the two Kingdomes, he returned home, and became one of the Dominican Order; but had not lived long among them when upon suspicion of heresie, he was put in prison. Being cleared of that imputation, he went back again into *England*, and thinking by the Lord *Dacres* means to have got a place in *Cambridge*; because that failed, he went to *France*, and from thence to *Rome*. There he won such favour with Cardinall *Pole*, as by his recommendation he was received among the Dominicans of *Bononia*, and by them first appointed to instruct the Novices of the Cloyster: afterwards when they perceived his diligence and dexterity in busineses, he was employed in all their affairs throughout *Italy*, and sent in Commission to *Chios*, an Isle situated in the *Ionick sea*, to redresse things that were amisse amongst those of their Order.

Therein he discharged himself so well, that at his return he was made Rector of the School, and thereby had access to the Libraries, especially to that of the Inquisition, where falling on the *Institutions* of *John Calvin*, he was taken with a great liking thereof; and one day conferring with a reverend old man of the Monastery, was by him confirmed in the opinion he had taken, but withall warned in any case not to utter himself, or make his minde known, because the times were perilous:

An. 1600.

Matter Robert  
Bruce bani-  
shed.

A Parliament  
wherein *Gow-  
rie* and his bro-  
ther are forfeit-  
ted.

The fifth of  
August to be  
kept yearly in  
remembrance  
of his Maje-  
sties delivery.

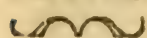
Acts conclu-  
ded in this  
Parliament.

The King go-  
eth to *Dun-  
fermlin* to visit  
the Queen.  
Prince *Charles*  
born at *Dun-  
fermlin*.

The death of  
M. *John Craig*,  
with a descri-  
ption of his  
life.



An. 1600.



yet he neglecting the counsell of the aged man, and venting his opinions too freely, was delated of heresie, and being sent to *Rome*, after examination imprisoned nine moneths, he lay there in great misery; at the end whereof, being brought before the Judge of the Inquisition, and giving a cleer Confession of his Faith, he was condemned to be burnt the next day, which was the 19 of *August*.

Accidents that befell M. Craig in his flight.

It happened the same night Pope *Paul* the fourth to depart this life, upon the noise of whose death, the people came in a tumult to the place where his statue in marble had been erected, and pulling it down, did for the space of three daies drag the same through the streets, and in the end threw it in the River of *Tiber*. During the tumult all the prisons were broke open, the Prisoners set free, and among those Mr. *Craig* had his liberty; as he sought to escape, for he held it not safe to stay in the City, two things happened unto him, not unworthy of relation; first, in the Suburbs, as he was passing, he did meet a sort of loose men, whom they called *Banditi*; one of the company taking him aside, demanded if he had been at any time in *Bononia*? He answered, that he had been some time there. Doe ye not then remember, said he, that walking on a time in the fields with some young Noblemen, there came unto you a poor maimed Souldier, entreating some relief? Mr. *Craig* replying, that he did not well remember. But I doe, said he, and I am the man to whom ye shewed kindness at that time; be not afraid of us, ye shall incur no danger; and so conveying him through the Suburbs, and shewing what was his safest course, he gave him so much money as might make his charge to *Bononia*; for he intended to go thither, trusting to finde some kindness with those of his acquaintance; yet at his coming he found them look strange, and fearing to be of new trapped, he slipped away secretly, taking his course to *Millain*.

A strange accident and singular testimony of Gods care over him.

By the way another accident befell him, which I should scarce relate, so incredible it seemeth, if to many of good place he himself had not often repeated it as a singular testimony of Gods care of him. And this it was, when he had travelled some days declining the highways out of fear, he came into a Forrest, a wild and desert place, and being fore wearied lay down among some bushes on the side of a little brook to refresh himself; lying there pensive and full of thoughts (for neither knew he in what part he was, nor had he any means to bear him out the way, a dog cometh fawning with a purse in his teeth, and lays it down before him; he stricken with a fear, riseth up, and construing the same to proceed from Gods favourable providence towards him, followed his way till he came to a little village, where he met with some that were travelling to *Vienne* in *Austria*, and changing his intended course went in their company thither.

He preacheth to Maximilian the Emperour, but is forced to leave those parts.

Being there, and professing himself to be one of the Dominican order, he was brought to preach before *Maximilian* the second, who liking the man, and his manner of teaching, would have retained him, if by letters from Pope *Pius* the third, he had not been required to send him back to *Rome*, as one that was condemned for heresie. The Emperour not liking to deliver him, and on the other part not willing to fall out with the Pope, did quietly dimit him with letters of safe conduct. So travelling through *Germany* he came to *England*, and being there informed of the reformation begun at home, he returned into *Scotland*, and made offer of his service to the Church, but his long dissuetude of the Countrey language (which was not to be mervailed, considering that he had lived abroad the space of 24 years) made him unusefull at first; now and then to the learned sort he preached in Latine in the *Magdalens* Chappell at *Edinburgh*, and in the year 1561 after he had recovered the language, was appointed Minister at *Halirudhouse*. The next year he was taken to *Edinburgh*, and served as Colleague with Mr. *Knox* the space of nine years; then by the ordinance of the assembly he was translated to *Montross*, where he continued two years, and upon the death of *Adam Heriot* was removed to *Aberdene*, having the inspection of the Churches of *Marre* and *Buchan* committed to his care; in the year 1579 he was called to be the Kings Minister, and served in that charge till born down with the weight of years, he was forced to retire himself; after which time, forbearing all publick exercises he lived private at home, comforting himself with the remembrance of the mercies of God, that he had

He cometh to Scotland and is appointed Minister at Halirudhouse.



had tasted in his life past, and this year on the 12 of *December* without all pain dyed peaceably at *Edinburgh* in the 88 year of his age.

In the beginning of the next year there happened a great stirre in the Court of *England*, which concerning the King in some sort I must needs touch: the Earl of *Essex* who had been a long time in speciall favour with the Queen, and was then upon some displeasure kept from the Court, not enduring to be thrust down (as he complained) by his adversaries into a private life, did resolve to make his way unto the Queen by force, to seise upon her person, and remove from her company those he judged to be his adversaries. But the purpose failing, he was taken himself and committed to the Tower. A little before he had written letters to the King full of respect, informing that they who had the managing of all affairs under the Queen, were inclining to the Infanta of *Spain*, and advising him to send Ambassadors into *England*, and urge the declaration of his title of succession. The King, though he could have wished his title to be declared, did not think that time fitting for such propositions, yet upon the report of his apprehension he resolved to employ some in Commission to the Queen. And to this effect made choice of the Earl of *Marre*, joining with him the Abbot of *Kinlosse*, who coming to the Court some days after the execution of *Essex*, and having access to the Queen did congratulate her good success in repressing that audacious attempt. This she took well, and was glad to hear so much from them, because of the rumours which were then dispersed, *That Essex was made away for favouring the King of Scots title, and that if the Ambassadors had come in time, they would have dealt for him.* A good answer was hereupon given to all their instructions, and whereas among other points of their Commission, they were willed to seek an assignment of some portion of land in recompence of the lands belonging to the Lady *Lennox*, the King being her lawfull heir; the Queen excusing herself touching the lands, was content to adde to the annuity formerly paid, the summe of 2000 pounds yearly, as long as he kept fast, and held one course with her. Besides this satisfaction obtained of the Queen, they did so work with the principall Noblemen and Counsellors, as they won them to be the Kings friends, and at their return gave his Majesty assurance of a peaceable reception of that Crown after the decease of the Queen, which was some two years after really performed.

Much about this time, had Pope *Clement* the eight sent his *Breves* (as they call them) into *England*, warning all the Clergy and laity that professed the Roman faith, not to admit after the Queens death any man, how near soever in blood, to be king, unless he should binde himself by oath, to promove the Catholick Roman Religion at his power. And at the same time came Mr. *John Hamilton* and Mr. *Edmond Hay* Jesuits into *Scotland*, two factious and working spirits, and therefore much suspected by the King, the first especially, for that he was known to have been a chief instrument of the seditions raised in the City of *Paris* in the time of the league. How soon the King understood of their repairing into the Countrey, a Proclamation was given out inhibiting their resort under the pain of treason. In this Proclamation to make them the more odious, they were compared to *Bothwell* and *Gowry*, the King declaring that he would judge no otherwise of their receptors, then of those that did treasonably pursue his own life. This notwithstanding, they found lurking holes amongst the Papists in the North, and kept the Countrey till after some years that Mr. *John Hamilton* was apprehended, and carried to the Tower of *London*, where he died.

The Church of *Edinburgh* remained all this while destitute of a number of their Ministers, the conditions prescribed unto them, when they were pardoned, not being performed: of the four onely Mr. *John Hall* having given obedience was licenced to return to his charge; the other three, upon I know not what pretext, deferred to make their declaration, as was appointed, and were thereupon in the Assembly convened at *Brunt-island* the 12 of *May*, ordained to be transported from the Ministry of *Edinburgh*, and placed in such parts of the Countrey, as the Commissioners of the Countrey should think meet. This Assembly was called by his Majesties Proclamation, partly for taking order with the Church of *Edinburgh*, partly for

An. 1601.

A trouble in  
the Court of  
*England*.

The Earl of  
*Marre* sent  
Ambassadour  
to *England*.

Pope *Clement*  
sends his *Bre-*  
*ves* to *England*  
for excluding  
the King.

A Proclamation  
against  
some Jesuits,

An Assembly  
at *Brunt-island*



An. 1601

for repressing the growth of Popery, which was then increasing, and where it should have held at S. Andrews, was in regard of the Kings indisposition brought to *Brunt-Island*.

Mr. John Hall  
elected Moderator.

Mr. John Hall being elected to moderate the meeting, did begin with a regrave of the generall defection from the purity and practise of true Religion, which he said, *was so great, that it must of necessity at last conclude either in Popery or Atheisme, except a substantiall remedy were in time provided. And because the ill could not be well cured unless the causes, and occasions thereof should be ript up; he exhorteth those that were assembled, to consider seriously both of the causes of the defection, and the remedies that were fittest to be applied.*

The defection  
in Religion  
complained of,  
and the causes  
searched.

After long conference, the causes were condescended to be, the wrath of God kindled against the land for the unreverend estimation of the Gospel, and the sinnes in all estates, to the dishonour of their profession; lack of care in the Ministry to discover Apostates; too hasty admission of men unto the Ministry, Ministers framing themselves to the humors of people; the desolation of the Churches of *Edinburgh*; the advancing of men to places of credit, that were ill affected to Religion; the education of his Majesties children in the company of Papists; the training up of Noblemens children under suspect Pedagogues; the decay of Schools; and the not urging of the reconciled Lords to perform their conditions.

The remedy  
of the evils.

For remedy of the foresaid evils it was ordained, *That a publick humiliation should be kept throughout the realm, the last two Sundays of June, with fasting and prayer, for appeasing the wrath of God kindled against the land; that the Ministers of every Presbytery should after the dissolving of the Assembly, take up the names of the Recusants within their bounds, and send them to the Kings Ministers; that places of greatest need should be furnished with learned and wise preachers, and in the mean time, till that might take effect by a constant provision of Ministers to those places, that the meetest for that purpose should be appointed to attend for a certain time in the families of the reconciled Lords, for their better confirmation in the truth. The rest of the remedies resolved all in Petitions to his Majesty, for the planting of Churches, the not permitting of those who were under process for Popery, to have access to Court, and a care to be taken of the good education of the children of Noblemen. To all which the King gave favourable answers, and for the removing of the Princess his daughter from the Lady Levingston, which was earnestly entreated by the whole Assembly, his Majesty did promise to bring her to his own house before the Terme of *Martinmas* next.*

Mr. John Davidson  
his letter to the  
Assembly.

Whilest matters were thus proceeding, there was delivered a letter sent by Mr. John Davidson to the Assembly, wherein as if he would awake his brethren fallen asleep, he began with a strong cry, *How long shall we fear or favour flesh and blood, and follow the counsell and command thereof? Should our meetings be in the name of man? Are we not yet to take up our selves, and to acknowledge our former errors, and feebleness in the work of the Lord? And a little after, Is it time for us now, when so many of our worthy brethren are thrust out of their callings without all order of just proceeding, and Jesuits, Atheists and Papists are suffered, countenanced and advanced to great rooms in the realm, for the bringing in of idolatry, and captivity more then Babylonicall, with an high hand, and that in our chief City: Is it time for us, I say, of the Ministry to be inveigled and blindfolded with pretence of preferment of some small number of our brethren to have voice in Parliament, and have titles of Prelacy? Shall we with Samson sleep still on Dalilahs knees, till she say, The Philistines be upon thee Samson? Then scoffing at the Kings doings, he said, But Bonyton is executed, an infamous thief in the highest degree: what is that to the cause of Religion, whereof no question was moved? Is there no Papist, nor favourer of Papists in Scotland but Bonyton? But the King is sound in Religion, what can the adversaries do? Being sound, the danger were the less; but there is nothing either in Church or King according to our calling &c. In postscript to the same letter he wished them to be wary of determining any thing touching the planting of *Edinburgh*, in respect of any promises against Papists, and to remember that *Melius & optabilius est bellum pace impia, & à deo distrabente.**

The letter  
offended greatly  
the wiser  
sort.

This letter laughed at by some did greatly offend the wiser sort, who would have proceeded to censure the man as he had deserved, but that the King interceded, willing



willing to leave the punishment to him, and go on with their own affairs, as they had begun. So the letter being cast by, the planting of *Edinburgh* was next handled, and after some reasoning it was concluded, that the three Ministers, Mr. *Walter Balcanquell*, Mr. *James Balfour*, and Mr. *William Watson* should be transported and others placed in their rooms. The care of this among other things was entrusted to certain Commissioners deputed by the Assembly, who had power given them for all matters that concerned the Church unto the next generall meeting.

After this a proposition was made for a new translation of the Bible, and the correcting of the Psalmes in meeter: his Majesty did urge it earnestly, and with many reasons did perswade the undertaking of the work, shewing the necessity and the profit of it, and what a glory the performing thereof should bring to this Church: speaking of the necessity, he did mention sundry escapes in the common Translation, and made it seen that he was no less conversant in the Scriptures, then they whose profession it was; and when he came to speak of the Psalmes, did recite whole verses of the same, shewing both the faults of the meeter and the discrepance from the text. It was the joy of all that were present to hear it, and bred not little admiration in the whole Assembly, who approving the motion did recommend the translation to such of the brethren as were most skill'd in the Languages, and revising of the Psalmes particularly to Mr. *Robert Pont*; but nothing was done in the one or the other; yet did not the King let this his intention fall to the ground, but after his happy coming to the Crown of *England* set the most learned Divines of that Church a work for the Translation of the Bible; which with great pains, and the singular profit of the Church they perfected. The revising of the Psalmes he made his own labour, and at such hours as he might spare from the publick cares, went through a number of them, commending the rest to a faithfull and learned servant, who hath therein answered his Majesties expectation.

The Act for restraining the liberty of Application in Exercises, was of new ratified, and an Ordinance made against the preaching of young men not admitted to the Ministry, in the chief places of the Countrey; which done, and the next Assembly being appointed to be held at *S. Andrews* the last Tuesday of *July*, Anno 1602, the meeting dissolved.

Soon after, the King, by the advise of the Commissioners of the Church, received in favour the three Ministers of *Edinburgh*, that were ordained to be translated to other places, and licensed them to return to their Charges. Mr. *John Dikes* also, who had lurked all this time, having composed some Eucharistick Sonets (as he called them) for his Majesties preservation, was pardoned, and permitted to return to his place. But Mr. *John Davidson* presuming to finde the like favour, and appearing in publick without warrant, was taken and committed to the Castle of *Edinburgh*, where he remained some moneths, till by the intercession of the Kings Ministers he was also put to liberty.

In the State the Lord *Maxwell* began to make new troubles, and notwithstanding, he was prohibited to repair within the bounds of *Niddisdale & Galloway*, he went home without license, having contrived the death of Sir *James Johnston* then Warden; but the purpose failing, he made an incursion upon *Annandale*, raising fire, and committing slaughter: whereupon, great stirres were moved in these parts, which were not pacified till the *February* after; at which time the King going in person to *Dumfries*, made him leave the Countrey, and put in Sureties for his remaining within the bounds of *Cluidsdale*.

In *July* thereafter *Lodowick Duke of Lennox* was sent in an Ambassage to *France*, rather for confirming the old amity and friendship, then for any business else. There went with him Sir *Thomas Ereskin*, and Sir *William Levingston* of *Kilsithe*, two of his Majesties privy Councell; Mr. *John Spotswood* then Parson of *Calder*, was directed to attend him as his Chaplain or Preacher. The Duke taking his journey by sea arrived at *Deepe*, the 24 of that moneth, and upon the 10<sup>th</sup> day after entered into *Paris*, accompanied by *James* Archbishop of *Glasgow*, and a great train of Scottishmen, who did meet him at *S. Denis*; he had presence of the French King at *S. Germans* some seven leagues from *Paris*, and was very kindly accepted. A

few

An. 1601.

A combustion touching the Ministers of *Edinburgh*.

A Proposition was made for a new Translation of the Bible, and correcting the Psalmes.

The liberty of Application restrained.

The Ministers of *Edinburgh* received in favour.

New troubles by the Lord *Maxwell*.

The Duke of *Lennox* directed Ambassador to *France*.



An. 1601.



The Queen of  
France lying  
of her first-  
born.

few daies after the King went to *Fountain-bleau*, where the Queen was to lye of Childe-birth. Thither the Duke did follow him, and was entertained with hunting, and the like sports, unto the Queens delivery, which fell out the 17 of September. Going then unto the Countrey to salute his mother Madam D' *Aubigney*, and other his friends; whilst he was about these offices of kindness, the King went by post to *Callais* upon some intelligence, as it was said, from *England*, that the Queen was fallen sick; he himself gave out that the affairs of *Flanders* did occasion his journey, for as then the Archduke was besieging *Ostend*. But whatsoever the business was no man doubt'd but that he had an eye upon the succession of *England*; and if he could have found a faction, would have foisted in another Rastard of *Normandy*, which oftentimes in a merriment and gallantry he spared not to utter.

The Duke after his return to *Paris* made no long stay, but taking his leave of the French King, who was then come back from *Callais*, took journey towards *England*, and came to *London* in the beginning of *November*: A Parliament was then sitting at *Westminster*, (the last that Queen *Elizabeth* held) which with his coming upon that instant gave many to think that he was come to urge a Declaration of the Kings right of succession, and not a few they were, nor of small note, that offered to assist, if he should move any such business: but he told them, that neither had he any such Commission, nor would the King ever agree to any thing that might breed a jealousy in the Queen. And his Commission indeed was no other, but to salute the Queen in the Kings name, and let her know the kinde and filiall affection he carried unto her, whereof he should be willing to give proof at all occasions. And for that he was given to understand, that the Irish Rebels had drawn in some Spanish forces into *Ireland* to fortifie themselves in their Rebellion, he would, if his ayde should be thought necessary, employ the same for their expulsion. The Queen giving the King many thanks, said, That if those troubles continued, she would take his help, and hire some of his High-landers and Isles men, but she trusted to hear other news shortly, and not be vexed long with those strangers. As also it came to passe, for the very next moneth, the Lord *Montjoy* her Deputy did in a battell fought neer *Kinsale* defeat the Irish utterly, and afterwards forced the Spaniards that had taken the Town, to render upon condition of their lives saved, and that they might be transported again into their Countrey.

The Duke re-  
turneth to E-  
dinburgh.

The Duke after three weeks stay being feasted by the Queen and entertained with all complements of amity returned home, and came to *Edinburgh* in the end of *December*; where having related his proceedings in Councell, they were all approved: The Lord *Elphinston* had in his absence resigned the office of Treasury upon an offence, as was thought, he conceived for adjoyning some others unto him in the composing of Signators; and now was Sir *George Hume* one of the Masters of the Quirie preferred to the office, which he discharged by his Deputy, Sir *John Arnot*, both to his Majesty and the Countreys content.

An. 1602.

Certain un-  
dertakers con-  
quer the Isles.

The next sommer the King having resolved to plant Lowland-men in the Isles, and transport the inhabitants into the main land, where they might learn civility, made a beginning at the Isle of *Lewis*. The undertakers were *Patrick* Abbot of *Lendors*, Colonell *William Stewart*, Captain *William Murray*, Mr. *John Lermouth*, of *Balcolmy*, Mr. *James Spence* of *wormeston*, Sir *James Anstruther* of that ilke, and *James Forret* of *Fingaskie*: These Gentlemen furnishing themselves with armes and shipping, and having conduced a number of souldiers, took sea, and in the third or fourth day arrived in the Lake of *Sternoway* within the same Isle. *Murdoch Macklond* base son to old *Macklond* who carried himself as Lord of the Isle, made at the first some resistance, but after a little conflict distrusting the people, for he had used them with great tyranny, he fled and forsook the Isle, leaving the Indwellers to the discretion of the Invaders: they how soon he was gone, did all submit themselves, and accept such conditions as were offered by the undertakers.

Being thus peaceably possessed, the Laird of *Balcolmy* either sent by the rest to signifie their good successe, and to make preparation against the Winter, or for some private business of his own, took purpose to return home, and being lanch'd alittle from the coast, and by reason of the calm forced to cast anchor, was sudden-  
ly



ly invaded by the said *Murdach Macklowd*, with a number of Birlings. (so they call the little vessels those Isles men use) the ship boarded, the mariners killed and himself made prisoner. The Gentleman being detained some daies and hourly threatened with death, was afterwards ransomed by one of his friends, and conveyed to *Orkeney*, where contracting a feaver he died. The rest of the Gentlemen, to repair this injury, conduced *Neill Macklowd*, brother to the said *Murdach*, to betray and deliver him in their hands, which he performed shortly after, having by an ambush laid for his brother, apprehended him, and some twelve more that were in his company. The twelve he presently beheaded, *Murdach* he delivered to the Gentlemen, as he had promised, who was afterwards transported to *S. Andrews*, and there executed.

An. 1602.

The Laird of *Balcomy* taken prisoner, and dieth in *O'keney*. *Neill* betrayeth his brother *Murdach*.

The undertakers thinking themselves now secured, began to build, and made a partition of lands, letting the same to the Countrey people, who did all swear fidelity to them; but whilest they expected no trouble, *Norman Macklowd* son to old *Macklowd*, did on the suddain beset them, put fire to their lodgings and force them to the Conditions following:

The *Lewis* lost by the undertakers security.

First, that they should purchase to them a remission from the King of all crimes and offences past.

Next, that they should resigne to *Norman* all the right that they had acquired of the Isle of *Lewis*.

And thirdly, that *Sir James Spence* with his son in law *Thomas Monypenny* of *Kinkell*, should remain as pledges untill the remission was brought unto him, and such a surety given of the Isle, as he could devise.

This condescended unto, *Sir James Anstruther* departed with the whole company that was left, (for many were killed before their yeilding) and for relief of the pledges obtained of the King both the remission and security of the Isle that was desired, which was sent to *Norman* by *James Lermouth* son to the Laird of *Darcie*. By this mean were the pledges freed, and for that time the whole enterprize defeated: some three years after the same was of new attempted, with what successe we shall hear in the own place.

Master *Robert Bruce*, who as we shewed before, was exiled in *France*, obtained licence to return in the beginning of this Summer by the intercession of the Earl of *Marre*, whom he had intreated to mediate his peace, upon promise at his return to satisfie the King, and declare his resolution in that matter of *Gowries*. The King who never shewed himself difficle (especially to Ministers that professed penitencie for their errors) gave warrant to recall him, and he appearing before the Commissioners of the Church at *Perth* the 25 of *June* where his Majesty was present, acknowledged his error, professed his resolution touching the guiltiness of those unhappy brothers, and promised if his Majesty should licence him to return to his place to declare the same publickly in the first Sermon he should have to the people. The King doubting his performance (for he had often in other matters tried his inconstancy) caused the same to be set down in writing upon the back of the Letter he had sent to the Earl of *Marre*, and after he had subscribed the same, made all the Commissioners that were present (eleven in number) to set their hands thereto as Witnesses. This done, he was admitted to kisse his Majesties hand, and licenced to return to his place: but as the King had conjectured, so it fell out, for coming to *Edinburgh*, where it was expected he should have done what he had both promised and subscribed, he left the Town, pretending that his Ministry should thereby be discredited, and he esteemed to preach by injunction. The Generall Assembly of the Church meeting in *November* following, the King to remove this pretext, after he had shewed all the particulars of his proceeding with *Mr. Robert*, and produced the Letter sent by him to the Earl of *Marre*, together with his subscription in the meeting of *Perth*, desired the voices of the Assembly, whether or not he ought to utter his resolution in pulpit as he had promised? They all, not one gainsaying, declared, *That he was bound both in duty and conscience to fulfill his promise, so much the rather that by his distrust and disobedience to the Councells charge, he had confirmed ill-disposed people in their suspicions.* Yet this Ordinance did not content him,


*Mr. Rob: Bruce* licenced to return upon promise of satisfaction.

*Mr. Rob: Bruce* his inconstancy.

A Generall Assembly in the Chappell of *Halirud-houfe*.



An. 1602.

  
 Petitions to his  
 Majesty in  
 name of the  
 Church.

him, and so delaying to give satisfaction, he was by the Commissioners of the Church discharged from the Ministry of *Edinburgh* the year following.

In this Assembly Mr. *Patrick Galloway* being chosen to preside, made a Speech to the King, wherein he shewed, " That the Church was oppugned by two sorts of enemies, to wit, *Papists* and *sacrilegious* persons, and therefore in the name of the whole Church entreated his Majesty, that as he had with great travell and happy successe made the principalls of the Popish profession to conform themselves in outward obedience: so he would use his princely authority towards the other sort, and compell them, if not to restore all, at least to grant a competent allowance to Ministers forth of the tithes they possessed. The King accepting the Petition graciously, said, *That it should not be well with the Church so long as Ministers were drawn from their Charges to attend the yearly modification of stipends, and that he held it fittest once to condescend upon a competent provision for every Church, and deal with those that possessed the tithes to bestow a part thereof to the foresaid uses: and seeing that business would require a longer time then they could well continue together, that they should doe well to make some overtures to those that had the Commission for Stipends, promising for himself that he should stand for the Church, and be an advocate for the Ministers.*

Overtures for  
 provision of  
 the Ministers.

After a long deliberation these overtures were proponed: " First, that the Ministers having stipends assigned to them forth of the tithes of the Churches where they served, a perpetuall security should be made to the Takersmen, and a certainer gressome condescended on for every chalder of victuall which should be paid for nineteen years lease; at the expiring whereof, another lease upon the like conditions should be renewed for as many years, the principall Takersmen being obliged to grant the like security for his Subtakersmen. 2. That the Prelacies should be disposed to actuall Ministers, the Churches annexed thereto being sufficiently provided, and the tenth of the superplus paid to the King; or otherwise, that all the great Benefices should be dissolved, the Prelate enjoying the principall Church and temporall lands, and the Churches annexed disposed to Ministers, both they and the Prelate paying a yearly duty to the King. And 3. that all inferiour Benefices should be provided to the Ministers serving the Cure.

The overtures  
 deferred to another time.

The first of these overtures the King held reasonable and most advantagious to the Church, but the Assembly esteeming it dangerous to make tithes heretable, deferred to give their consent, so as nothing at that time was concluded, and the overtures remitted to a more deep consideration.

Grievances of  
 the Synod of  
*Fife*.

The Synod of *Fife* did after this present some grievances, complaining, " That the Generall Assemblies were not kept at the ordinary times, and both places and daies altered, without the knowledge of Presbyters and Synods. That Ministers were called before the Councell *in prima instantia*, for matters of doctrine and discipline. That the government of the Church continued in the hands of a few Ministers under the name of a *Commission*, to the prejudice of the liberty of the Church. That Doctors being an ordinary calling in the Church were debarred from coming to Assemblies. That no triall was taken concerning the observation of Caveats. That the Ministers of *Edinburgh* being the principall watchtower of the Church, were not permitted to attend their charge. That the land was polluted with the French Ambassadors masse, and excommunicates suffered to abide in the Countrey. And lastly, that the letters and practises of *Papists* were kept secret, and not communicated to the watchmen.

An answer to  
 the grievances.

These complaints being known to proceed from the private discontents of such as grieved to see the affairs of the Church carried by others then themselves, were not much regarded, yet to shew that they had no just cause to complain, a particular answer was made to every one of them. And first it was said, " That the Assemblies both were, and should be kept, according to the Act of Parliament. " That Ministers should not be called before the Councell but upon just grounds. " That Commissions given by the Assembly, and rightly discharged were lawfull. " That Doctors authorized with a Commission from the Univerlity, where they lived,



“lived, were not denied a voice in Assemblies, and that if the Caveats were not observed, they might instance the point, and have the person after triall censured. To the rest of the heads his Majesty by himself made this reply, That the French Ambassadors masse was private, and could not be refused to him, considering that the Minister directed with his owne Ambassadors the yeare before was permitted to preach within the City of *Paris*; And for the Ministers of *Edinburgh* they had received all the favour they desired. As to him that lay back, it was his own fault, and no mans else: But where, saith he, it is craved, that the letters and practises of Papists should be communicate to Ministers, as that were the ready way to procure the escape, and no punishment of the practises, so the proponers would remember, that secrets must be imparted at the Kings pleasure, and not otherwise.

An. 1602.



Some other Acts were concluded in the same Assembly, as *That in memory of his Majesties deliverance there should be Sermons in all the Burghs every Tuesday, and the fifth of August solemnly kept as the Parliament had prescribed in all the Churches of the Kingdom.*

Acts concluded in the Assembly.

*That Ministers should not refuse the Sacrament of Baptisme to Infants, nor delay the same upon whatsoever pretext, the same being required by the parents, or others in their name:* for as then, except at ordinary hours of preaching, Ministers denied to baptize. And because they had taken a custome not to celebrate marriage upon the Sunday, pretending that the day was profaned by feasting, dancing, and the like, it was ordained, *They should hereafter at the parties desire celebrate the same, either on the Sunday or week day.* These things concluded, and Commissioners chosen to attend the common affairs of the Church, the Assembly dissolved, having appointed the next meeting at *Aberdene* the last Tuesday of *July*, Anno 1604.

All this time were the enemies of our Religion, the Jesuits especially busied, to stirre up a party against the King, and his title to *England*. They had lost all hope of gaining his affection, or obtaining any promise of toleration when he should come to that Crown; and had found their writings and pamphlets for the *Infanta of Spain* her right, to move few or none. Thereupon they fell to treat of a marriage betwixt Lady *Arbella* and *Robert Prince of Savoy*: and that not succeeding, to speak of a match betwixt her and a grandchilde of the *Earl of Hartfords*, judging that their pretensions being conjoynd, many would befriend them to the excluding of the King of *Scots*; but the Queen, who truly favoured his right though she would not openly profess so much, dashed all those projects, and caused an eye to be kept upon that Lady and such as resorted unto her.

The businesse of Jesuits in England.

About the same time the King had intelligence given him, that one *Francis Mowbray* son to the Laird of *Barnebowgall*, who had lived a while in the *Infants Court* at *Bruxells*, had undertaken to kill him. This brake out first at *London* by an Italian, a fencer, whose name was *Daniel*; which coming to the Queens ears, she commanded Sir *Robert Cecil* her Secretary to call the persons (for they were both in the City) and examine them; the Italian abode by his speeches, *Mowbray* denied, and offered to prove him a lyar in combat, which the other accepted. Both being sent unto *Scotland*, they were tried first severally, then confronted before certain of the Councill; the Italian produced Witnesses, who verified all that he had deposed: whereupon *Mowbray* was committed to the Castle of *Edinburgh*, where seeking to escape by night at a window of the chamber, where he was detained, the sheets proving too short by which he thought to descend, he fell from a great precipice, and was found the next morning dead at the foot of the rock. The corps was the same day, being the last of *January*, presented to the Justice, and sentence of forfeiture pronounced against him; his body hanged for a space upon the gibbet, and afterwards quartered, and affixed on the gates and most open places of the Town. His friends (for he was well born, and a proper young Gentleman) gave out that he had been strangled and his corps thrown down at the window. But this carried no appearance, and was believed of few.

The story of Francis Mowbray and an Italian.

The Queen of *England* in the winter being perceived to wax heavy and dull, and the rumour thereof dispersed (as there is nothing that can be worse concealed

The Queen of England groweth sick



An. 1602.

A Conference  
betwixt the  
French Amba-  
sador & Se-  
cretarie Cecil.

then the sickness or death of a Prince) there was much business every where, and she held for the most part dead. The French King had sent the summer preceding two Ambassadors, one to reside in *England*, and another in *Scotland*, under colour of impeaching the courses of *Spain*, but in effect to observe the strength and affection of both people. He that was sent into *England* brought a Letter from the French King to Secretary Cecil of infinite kindness; and breaking with him one day upon the miseries of the Kingdome when it should please God to translate the Queen, fell to speak of the losse he should sustain by the exchange, and the case wherein he would be, if the Scottish King did succeed; which to his apprehension, should be more hard and miserable then any others, being likely to undergoe the revenge of faults laid upon his father about matters concerning the Kings mother, and other courses that he was esteemed to have run himself since the death of his Father. The Secretary that was no childe, knowing that the Ambassador did but sound him, for making some other project, answered, *That this was the reward of unspotted duty, when Ministers did only regard the service of their Sovereigns, without respect of their own particular; And that for himself he should never grieve to endure trouble for so just a cause, the same being to a man that valued his credit more then his security, a kinde of martyrdom: notwithstanding he supposed that things passed, would not be called to minde, or if so were, and that he saw his case desperate, he should flee to another City, and take the benefit of the Kings royall offer.*

The King ad-  
vertised of this  
conference.

The Ambassador being so answered, made a fair retreat, saying, *That in case the King of Scots did carry himself towards the King of France with the respect which was due, he was not purposed to impeach his interest.* The Secretary replying, *That it was a wise resolution his Master had taken.* The Ambassadors ceased to tempt him any further in that business. Hereof the King was advertised by Letters from the Secretary, who therein did assure him of his true and honest service when occasion required; howbeit he would not, as some others had done, needlessly hazard his fortune and reputation before the time.

His Majesties  
letter to the  
Secretary.

It shall not be amisse to hear what was the Kings answer to the Secretary. *As I doe heartily thank you (said he) for your plain and honest offer, so may you assure your self, that it would doe me no pleasure that you should hazard either your fortune or reputation, since the losse of either of these would make you the lesse available to me. No, I love not to feed upon such fantastical humours, although I cannot let busie-bodies to live upon their own imaginations. But for my part I hold it the office of a King as sitting on the throne of God to imitate the primum mobile, and by his steady and ever constant course to govern all the other changeable and uncertain motions of the inferiour planets. And I protest in Gods presence, that for your constant and honest behaviour in your Sovereigns service, I loved your virtues long before I could be certain that you would deserve at my hand the love of your person; wherefore go on, and serve her truly that reigneth as you have done; for be that is false to the present, will never be true to the future.*

A letter from  
the King to the  
Earle of Nor-  
thumberland.

In another letter directed to the E. of Northumberland, that we may know the wisdom and piety of the King) who had sent him advertisement of the Queens weakness, and advised him to make sure his title by apprehending possession in time, he said, *That man can neither be religious, nor just, that dealeth worse with his neighbour then he would be dealt withall, and in a man of quality it can be no wisdom to leap hedge and ditch, and adventure the breaking of his neck for gathering forbidden fruit before it be ripe; when as by attending the due time, he may be sure to finde all the gates of the orchard open, and with free scope enter, take and tast at liberty. Sure it were a great weakness and unworthiness in me to come in as an Usurper with offence and scandall to the laws and present estate of government, when I may in the right time claim the Crown as nearest Heir to the Prince deceased, and possesse with equity: should I out of untimely ambition fall to break the long continued and faithfully preserved amity, that by the proof of many kinde offices hath taken root among us, it were an error inexcusable. And howbeit I doe acknowledge your kinde affection in the offers you make of assistance, I must tell you freely, that no Prince can presume of any Subjects loyalty to himself, that hath been unsound and unfaithfull to his own Sovereign: nor would I ever look to be secure in a Kingdome so trayterously disposed.* In end, he advised the Earl to forbear such writing, and when

he



he wrote (which he wished him to doe rarely, and not but upon great occasions) to beware of any thing that might justly offend the Queen, lest by interception or other misadventure he might be disabled to serve him another day. An. 1603.

This was the Kings resolution, which God so blessed, as it brought him within a short time after, against the opinions and desires of many, to the quiet and peaceable possession of his right and inheritance; for in the Spring the Queens disease encreasing (which was judged to be a melancholy incorrigible, and by some conceived to proceed from a sorrow for *Essex*; others ascribed it to the accepting of the Rebell *Tyrone* to peace) and all apprehending it to be deadly, the hearts of people did so incline to the King, as a great many in that State did write unto him, *That all England was grown to be Scottish.* The Queen her self continuing constant in her affection, when she was askt a little before her death by the Lord Keeper and Secretary (who were directed by the Councell to understand her will touching her Successor) answered, *None but my Cousen, the King of Scots.* After which words, she spake not much: only being desired by the Archbishop of *Canterbury* (whom she would not suffer to go from her all that time) to fix her thoughts upon God, she said, *So I doe, neither doth my minde wander from him:* and then commending her soul to God in devout manner died most patiently and willingly. A Queen incomparable for wisdom and fidelity of government; she departed this life the 24<sup>th</sup> of *March*, in the 70 year of her age, and 44 of her Reign. The same day in the forenoon the King of *Scots* was proclaimed King first at the Palace of *Whitehall*, next at the Crosse in *Cheapside* within the City of *London* with an infinite applause of all sorts of people.

The Queen of  
England her  
death.

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*The end of the sixth Book.*

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# THE HISTORY of the CHURCH OF SCOTLAND.

## THE SEVENTH BOOK.

### The Contents.

*The proceedings after his Majesties going into England  
unto his death.*



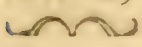
THE news of the Queens death were brought the third day after by Sir Robert Cary, a son of the Lord *Hunsdon*, after whom Sir *Charles Percy*, brother to the Earl of *Northumberland*, and *Thomas Somerset*, sonne to the Earl of *Worcester*, were directed from the Councell of *England* with the Letter following.

The King advised of the Queens death.

**R**ight High, Right Excellent and mighty Prince, and our dread Sovereign Lord, as we cannot but confess unto your Majesty, that the grief we have conceived by the loss of our late Sovereign Lady, whose soul in your palace of *Richmond* passed from her earthly body to the joyes of heaven, betwixt two and three of the clock this morning, was nothing less then our loyalty and love to her whilest she lived, being a Princess adorned with vertues meet for Government, prosperous in the success of her affairs, and under whose obedience we have lived in greater tranquillity these many years, then commonly happeneth to Princes; so we must acknowledge that our sorrow is extinguished by the impression we have of those heroicall vertues of wisdom, piety and magnanimity, which we know to be in your Majesties person, to whose right the lineall and lawfull succession of all our late Sovereigns dominions doth justly and onely appertain: wherein we presume to profess this much, as well for the honour, which will thereby remain to our posterity, as for your Majesties security of a peaceable possession of your kingdomes, that we have never found, either of those of the Nobility, or of any other of the Estates of this realm, any divided humour about the receiving and acknowledging your Majesty to be the onely head that must give life to the present maimed body of this kingdome, which is so happy, as with an universall consent to have received one sole uniform and constant impression of bright blood, as next of kin to our Sovereign deceased, and consequently by the Laws of this realm, true and next heir to her kingdomes, and dominions; whereof we have made outward demonstration by publick Proclamation this very day a fore noon, first in the City of *Westminster*, at your Majesties

A letter from the Councell and Nobility of *England* to the King.



An. 1603.  palace gate at White-Hall, and next at the Cross of Cheap-side, within your Majesties City of London, with an infinite applause of your people, and with such solemnity as the shortness of time would permit. Of all which we have thought it our duty immediately to advertise your Majesty by these two Gentlemen, Sir Charles Percy brother to the Earl of Northumberland, and Thomas Somerset Esq; son to the Earl of Worcester, of whom we have made choice to be the bearers of our Letters, humbly beseeching your Highness to accept the same as the first fruits and offering of our tender and loyall affections towards you our gracious Sovereign, and to rest assured, that the same shall be ever hereafter seconded with all faith, obedience and humble service, which shall be in our power to perform, for maintaining that which we have begun with the sacrifice of our lives, lands and goods, which we with all our other means do here humbly present at your Majesties feet: craving of your Highness, that seeing hereby you may perceive in what estate we remain, as body without a head, or rather without that spirit here amongst us, which from the head might give vigor to every member to exercise the duty to it belonging, thereby to keep the whole body from confusion, you will be pleased to enter into consideration how soon and in what manner it shall seem best to your Majesties excellent wisdom, to inspire a new life into this languishing body, the circumstances whereof are wholly to be left to your Majesty, holding it enough for us humbly to acknowledge our selves your true Subjects, ready to obey all your commandments: assuring you with all, that as we have hereby as many of us as have underwritten this letter, declared our recognition and humble submission to your Majesties sovereign power and right, so we do know by all good proofs, that the minds of the rest of the Nobility, and all others who are absent in their severall qualities, places and charges, whom the time permitted not without the prejudice of your affairs to assemble, so soon as we were desirous this should be performed, are wholly and absolutely with us in all zeal and duty for all things that shall be imposed upon them by your royall will and pleasure.

Further we have thought meet and necessary to advertise your Highness, that Sir Robert Cary this morning departed from hence towards your Majesty, not onely without the consent of any of us who were present at Richmond, at the time of our late Sovereigns decease, but also contrary to such commandment as we had power to lay upon him, and to all decency and good manners and respect, which he ought to so many persons of our degree, whereby it may be, that your Majesty hearing by a bare report onely of the death of the late Queen, and not of our care and diligence in establishment of your Majesties right here, in such manner as is above specified, may conceive doubts of other nature, then (God be thanked) there is cause you should, which we would have clearly prevented, if he had born so much respect to us, as to have stayed for a common relation of our proceedings, and not thought it better to anticipate the same: for we would have been loath that any person of quality should have gone from hence, who should not with the report of her death, have been able to declare the first effects of our assured loyalties.

And lastly it may please your Majesty to receive this advertisement, that of late there was made ready by the commandment of the Queen our Mistresse a good fleet of eight or ten of her ships well manned, and furnished under the charge of Sir Richard Lawson,



Lawson Knight, to have been employed upon the coast of Spain; which employment by her decease is ceased for want of Commission to exercise the same, and now is kept together in the narrow Seas to prevent any suddain attempt against the Low Countreys; and that now there is nothing either of land or sea, that is not yours, it may please your Majesty to signifie your pleasure concerning that Fleet, and whether you will have it or any part thereof resort to your coast of Scotland, where it may serve you, either for the safe convoy of your person to this realm, if there shall be cause to use it in this manner, or to transport any of yours, whilst you come by land, or any other service. In which point we humbly beseech you, to make known under whose charge it shall be your pleasure, the whole Fleet, or any part thereof shall come unto you. And this being all that for the present doth occurre to be advertised to your Majesty by us whose mindes are occupied about the conservation of this your realm in peace, as farre forth, as by any power for your Majesties service onely assumed the interruption thereof may be prevented, saving that we have sent a Copy of the Proclamation made here to your Majesties deputy of Ireland, to be published in that kingdome, we will and with our humble prayers to Almighty God, that we may be so happy, as speedily to enjoy the comfortable presence of your Highness royall person amongst us, the onely object of that glory, and those felicities which in the earth we have proponed to our selves Written in your Majesties City of London, the 24 of March 1603 at ten hours of the clock at night.

An. 1603.



*This Letter was subscribed by*

|                    |                 |                  |
|--------------------|-----------------|------------------|
| Robert Leigh Mayor | Pembroke        | R. Riche         |
| John Canterbury    | Clanrickard     | Lumley           |
| Thomas Egerton     | G. Hunsdon      | Chandois         |
| Thomas Buckhurst   | Tho. Howard     | W. Compton       |
| Nottingham         | Richard London  | W. Knowlles      |
| Northumberland     | Robert Hartford | Edward Wootton   |
| Gilbert Shrewsbury | John Norwich    | John Stanhop     |
| William Darby      | Morley          | Raleigh          |
| Edward Worcester   | Henry Cobham    | John Fortescue   |
| Geo. Cumberland    | Thomas Laware   | and John Popham. |
| R. Suffex          | Gray            |                  |
| Henry Lincoln      | Edward Cromwell |                  |

The King having imparted this letter to the Councell, it was thought meet, that the Contents thereof should be published, for begetting a greater kindness betwixt the people and the two Kingdomes; wheretupon a Proclamation was made, shewing » That the Queen before her death continuing in that loving affection, which she professed to his Majesty all the course of her life, had declared him her only true heir and successor in the imperiall Crownes of England, France, and Ireland, and that the Lords Spirituall and Temporall, assisted by the Lord Maior of London, and others of the Gentry of good quality had upon the 24 of March last, proclaimed him their only liege Lord and undoubted Sovereign, which being the most cleer demonstration that a people could give of their affection, and a sure pledge of their future obedience, ought to move all true hearted subjects, to account of them no otherwise then as their

The contents  
of the letter  
published.

« brethren



An. 1603.

„ brethren and friends, and to forget and bury all quarrels, and grounds of former  
 „ dissensions; That therefore none should pretend ignorance, nor carry them-  
 „ selves in any unkind sort towards the inhabitants of *England*, his Majesty with  
 „ the advice of the Lords of Councell, had ordained Proclamation to be made  
 „ of the premisses, assuring them that should so apply themselves of his gracious  
 „ favour when occasion presented, and certifying such as did in the contrary, that  
 „ they should incurre his wrath, and extreme displeasure.

The Borders  
 make incursi-  
 ons upon the  
 report of the  
 Queens death.

This notwithstanding, the word no sooner came of the Queens death, then  
 the loose and broken men in the borders assembling in companies, made incurSIONS  
 upon *England*, doing what in them lay to divide the two Kingdomes, which the  
 year following was severely punished, the principals that were tried to have been  
 partners in that business, being all executed to the death.

The King gi-  
 veth order for  
 his journey.

The King in the mean time giving order for his journey did appoint the Queen  
 to follow him some twenty dayes after, and for his children, ordained the Prince  
 to remain at *Striveling*, the Duke of *Albany* his brother to abide with the  
 Lord *Fyvie* President of the Session, and the Princess *Elizabeth* their sister, with  
*Alexander* Earl of *Linlithgow*. To the Lords of Councell an ample Com-  
 mission was given for the administration of all affairs, receiving resignations,  
 hearing the accounts of the Exchequer, continuing daies of law, adjoining as-  
 sessors to the justice, granting of licences to depart forth of the Realm, altering  
 the place of their residence as they should find it convenient, repressing the  
 troubles of the Borders, and for creating Lieutenants, one, or more upon  
 occasions.

The persons  
 chused to at-  
 tend the King  
 in his journey.

The persons he chused to attend him in the journey, were the Duke of *Lennox*,  
 the Earls of *Marre*, *Murray*, and *Argile*, the Lord *Hume*, Sir *George Hume*  
 Treasurer, Mr. *James Elphinston* Secretary, Sir *David Murray* Comptroller,  
 Sir *Robert Ker* of *Cesford*, with the ordinary Gentlemen of the Chamber; and of  
 the Clergy, *David Bishop* of *Rosse*, *Peter Bishop* of *Dunkeld*, Mr. *Patrick Gallo-*  
*way*, Mr. *Andrew Lamb*, Mr. *John Spotswood*, Mr. *Gawen Hamilton*, and Mr. *A-*  
*lexander Forbes* Ministers.

He goeth to S.  
 Giles to hear  
 sermon.

Things thus ordered, the King went the next morning to *S. Giles* to hear a  
 Sermon; Mr. *John Hall* (whose course it was) preaching took occasion to remember  
 the great mercies of God towards his Majesty, reckoning the peaceable succession  
 to the Crown of *England* none of the least. *This*, he said, *was Gods own proper work,*  
*for who could else directed the hearts of so numerous a people with such an unanime consent*  
*to follow the way of right?* Thereupon he did exhort his Majesty to thankfulness, to  
 the maintenance of Gods truth, and that he would send home some of those commendable  
 orders, he would find whither he was going.

The King  
 makes a speech  
 to the People  
 which is fol-  
 lowed with a  
 great lamenta-  
 tion of the  
 hearers.

The King accepting his exhortation in good part, did upon the end of the  
 Sermon make a speech to the people, which at the time were frequently conven-  
 ed, and promising to have care of them, and their good, gave them a most lo-  
 ving and kind farewell. This was followed with such a mourning and lamentati-  
 on of all sorts, as cannot be well expressed. For albeit they joyed not a little at  
 first to hear of that accession of honour to their King, yet considering they should  
 be deprived of his presence, and have no more a resident King among them,  
 they were grieved out of all measure. This affection of the people moved also  
 the King greatly: therefore when the Magistrates, Ministers, and others of the  
 better sort, came to receive his commandments, he spake graciously unto them;  
 willing them not to be troubled with his departing, for that they should finde the fruits  
 of his government as well as farre off, as when he was neer at hand; and as his power  
 was now encreased, and made greater, so his love towards them should not be a whit di-  
 minished.

The King  
 cometh to  
 Berwick.

In this sort did he part, and beginning his journey on *wednesday* the fourth of  
*Aprill*, came the day to *Berwick*, there he was welcomed  
 with a most eloquent Sermon by *Toby Matthew* Bishop of *Durham* (for he went  
 first to the Church) which finished he was conveyed to the Palace by the Gover-  
 nor and garrison, the munition playing from the walls, and the Citizens with  
 showts



showts and acclamations testifying their gladness. The ninth of that moneth he went to *Newcastle*, where he aboad some few days; and because multitudes of people from all quarters were daily coming to see the King and offer their service, Order was taken, that no strangers should have access granted, till the Chamberlain, or Master of the Guard was acquainted with their business. At *York* he was met with the Councillors, and from thence, by easie journeys, travelled to *London*; how his Majesty was there received, and what other things happened in the time, I remit to the English History, my purpose being only to relate the things passed in *Scotland*, or had some reference to matters of that Church and Kingdome.

*An. 1603.*

The Councillors meet him at *York*.

Being at *Burleigh house* neer unto *Stamford*, the King was advertised of the death of *James Beaton* Archbishop of *Glasgow*, who deceased at *Paris* in the same moneth. This man was descended of the house of *Balsoure* in *Fife*, and consecrate Bishop at *Rome* in the year 1552; and at the time of reformation forsook the Countrey, out of the hatred he bare to those that had hand in that work, and carried with him all the writs and evidents of the Sea of *Glasgow*, with the vessels and ornaments of the Cathedrall Church, things of exceeding great worth: for besides those of ordinary use, there belonged to that Church, the Image of our Saviour in beaten gold, and the portraits of the twelve Apostles in silver. The Queen returning from *France*, did establish him Ambassadour in these parts for her affaires: under the government of the Regents he was forfeited, and deprived of his living, which, as we shewed before, was conferred upon Mr. *James Boyd Trochrig*, and after him went through divers hands, till the King at his majority did restore him to his dignity, honour, and living, employing him likewise for his Ambassadour in *France*: a man honourably disposed, faithfull to the Queen while she lived, and to the King her son, a lover of his Countrey, and liberall according to his meanes to all his Countreymen; in his last Will he bequeathed all his means to pious uses, leaving as was said ten thousand Crownes for the education of poor Scholars, being Scottish men born. The evidents, vessels, and ornaments of the Sea of *Glasgow* he consigned in the hands of the *Carthusians* of *Paris*, appointing the same to be redelivered, how soon *Glasgow* should become Catholick, and this year being the 66 of his age departed peaceably this life.

The death of Mr. *James Beaton* Archbishop of *Glasgow*.

The King having destinated Mr. *John Spotswood* for his successor, sent him back to attend the Queen in her journey, and serve her for elemosynar; Soon after his coming her Majesty went to *Striveling*, of mind to bring away the Prince her son, and carry him along with her self to *England*; but being denied by the friends of the house of *Marre* she became so incensed, as falling into a feaver, she made a pitifull abortion.

The Queen falleth sick at *Striveling*.

Advertisement of this being sent unto the King, he caused the Earl of *Marre* to return, and after him sending the Duke of *Lennox*, with a warrant to receive the Prince, and deliver him to the Queen; he was brought unto her at *Halirudhouse*, about the end of *May*: yet she not satisfied herewith complained bitterly of the dishonour she had received, and by a letter written to the King, full of passion and anger, which she gave her Elemosynar to carry, required a publick reparation, by the punishment of the Earl of *Marre* and his servants. The King who knew the Earl himself to be blameless, and desired not to be troubled with such business, especially at that time, returned this answer, „ That she should doe wisely to „ forget the grudges she carryed to the Earl of *Marre*, and thank God of the peaceable possession they had obtained of these Kingdomes, which next unto God „ his goodness, he ascribed to the last negotiation of the Earl of *Marre* in *England*. This reported to the Queen (for the messenger was commanded to speak so much) she in a great choler replied, „ That she rather would have wished never see *England*, „ land, then to be in any sort beholden to him for the same. Yet as she was a most mild Princess, and very carefull to please the King in every thing, at her coming to *Windsor*, which was about the end of *June*, she was reconciled to the Earl of *Marre*, and he by Act of Councill declared to have done nothing in that accident at *Striveling*, that might touch her in honour.

The Prince delivered to the Queen.

At



An. 1603.

The King and Queen inaugurated at Westminster.

A conspiracy detected against the King.

At the same time was the Princess *Elizabeth*, who was brought alongst with the Queen, taken from the Earl of *Linlithgow*, and given to the custody of the Lady *Harrington*, the Earl his service in her education, being by Act of Council approved.

All this Summer the sickness was reigning at *London*, which made the Coronation to be deferred unto *July*, on the 27 day whereof, the King and Queen were solemnly inaugurated in the Church of *Westminster*, *John Whitgift* Archbishop of *Canterbury* performing the Ceremonies. There had been few dayes before a conspiracy detected against the King, plotted by two Priests, the one called *William Watson*, the other *William Grey*, and *George Brook* Esq;.

There joyned with them upon some discontents, the Lord *Cobham*, the Lord *Grey*, Sir *Griffin Marcham*, and Sir *Walter Raleigh*, this last had served the late Queen a long time, as Captain of her guard, and being put from the place, and the same bestowed upon Sir *Thomas Areskin* Lord *Fenton* in *Scotland*, he grudged exceedingly. The treason being discovered, (which came by this occasion) *Raleigh* parting with his sister at *London* had commended himself to her prayers, saying, *That he was going whence he thought not to return*; which she did interpret of some combat he had undertaken, and breaking the same to her neighbours, the words were carried to Court, where they received another construction) they were all apprehended, and committed to severall Prisons. Being brought to their triall in *Winchester* about the beginning of *December*, they were found guilty, and condemned to die, *George Brook* and the two Priests were executed as Traitors, the rest while they expected nothing but death (for they were brought all, one after another, to the place of execution, and their heads laid under the axe to be cut off) were spared, and the execution of the sentence pronounced, suspended.

George Brook and two Priests executed.

The Noblemen and others spared.

The people that were assembled in great numbers, hearing the Mandate read, which was published by the Sheriffe, and was to this effect, "That his Majesty unwilling to have the beginning of his reign stained with the blood of Noblemen, though convicted of a most hainous crime, was pleased to extend his clemency towards them, and having spared the *L. Cobham*, & *Grey*, because in the dispensing of mercy regard must be taken of inferiors, had bestowed the same favour on the other two) did greatly extoll his Majesties clemency, promising to themselves much happiness under his government, that could so temper his justice and mercy. *Cobham* and *Grey* lifting up their hands to heaven, "did thank God, who had thus inclined his Majesties heart. professing they were unworthy of life, and that they should be ashamed ever to shew their faces amongst men, having wronged so good and gracious a King.

Ann. 1604.

The conference at Hampton Court.

The next year began with a conference of the Clergy at *Hampton Court*, divers petitions had been exhibited to his Majesty for reformation of abuses in the Church, whereupon he took purpose to call certain of the Bishops, Deans, and Doctors together, and with them some of the most grave and modest among the complainers. The Bishops were, the Archbishop of *Canterbury*, the Bishop of *London*, *Durham*, *Winchester*, *Worcester*, *S. Davids*, *Chichester*, *Carlile*, and *Peterborough*. The Deans of the *Chappell*, *Christs Church*, *Worcester*, *Westminster*, *Pauls*, *Chester*, *Windesor*, *Dr. Field*, and *Dr. King*: for the petitioners *Dr. Reynolds*, *Dr. Spark*, *Mr. Knewstubb*, and *Mr. Chatterton* were present.

His Majesties proposition at the meeting.

These being called into the Privy Chamber, the King spake unto them to this effect, *That following the ensample of all Christian Princes, who in the Commencement of their reign do usually begin with the establishment of the Church, he had now at his entrance to the Crown taken course to assemble them, for settling an uniform order in the same, for planting unity, removing dissensions, and reforming abuses, which (he said) were naturally incident to all politick bodies. And yet that he should not be mistaken, and his purpose in assembling them misconstrued, he declared, that his meaning was not to make any innovation of the government established, which he knew was approved of God, but to hear and examine the complaints that were made, and remove the occasions thereof, whereof he willed the petitioners to begin, and shew what the things were that grieved them.*

Doctor



Doct<sup>r</sup> Reynolds with the other three, falling upon their knees, after a short gratulatory preamble, reduced the matters questioned to two heads, some he said concerned *the matters of the Church*, and others *the Government*.

An. 1603.

Doct<sup>r</sup> Reynolds speech in behalf of the Petitioners.

Touching the *Doctrine* that in the *Book of Articles* of religion, some things were obscure, and some things defective, which they wished to be supplied, and explained. Being desired to name the particulars, he condescended upon some Articles, whereof after they had conferred a while, and he professed to have received satisfaction, the King said, *That if these were the greatest matters that grieved them, such importunity needed not, as was used to him, and that a more private course had been better*: Then falling to speak of the Government of the Church, the want and scarcity of *sufficient Ministers* in every Parish was much complained of, with the subscription urged to the *Communion book*, the censures inflicted by *lay Chancellors*, and other moe points, which are to be seen in the Conference imprinted: after some three houres debating, they were commanded to meet again in the same place, the 18 of *January*, at which time they should know his Majesties pleasure in these matters.

The particulars complained of.

The meeting continued to 18 of January.

At the day the Bishops, Deans, and Doctors of the *Arches* being first called, the Archbishop presented certain notes of explanation of the *Liturgy*, which the King had commended to the Bishops care, and thereafter his Majesty questioning them touching the exercise of the *high Commission*, the Oath *ex officio*, the censure of *excommunication*, and the matter of *subscription*; when as they had answered in all these points to his Majesties content, Doct<sup>r</sup> Reynolds and the others were desired to come into the chamber, and the foresaid explanations read unto them; wherewith they professed to be satisfied. The King upon this expressing a great contentment with that which had passed among them, did seriously exhort them to the preservation of unity, willing the Bishops to use their inferiors with all lenity, and take the fairest waies for reclaiming those that were otherwise minded, warning these others also to beware of obstinacy in their opinions, and disobedience to the orders of the Church: *Obedience*, said he, and *humility*, are the marks of good and honest men, such I believe you to be, but it seareth me that many of your sort are humorous, and too busie in the perverting of others. The exceptions taken against the *Communion book*, as I perceive, are matters of meer weakness, and they who are discreet will be gained with time, by gentle persuasions, or if they be undiscreeet, better it is to remove them, then to have the Church troubled with their contentions. For the Bishops I will answer, that it is not their purpose presently and out of hand to enforce obedience, but by fatherly admonitions and conferences to induce such as are disaffected. But if any be of an opposite and turbulent spirit, I will have them enforced to a conformity. Neither tell me, that the wearing of a surplice, or using the Crosse in Baptism will diminish the credit of Ministers that have formerly disallowed the same; for that is just the Scottish Argument, when any thing was concluded, that sorted not with their humour, the only reason why they would not obey, was, that it stood not with their credit to yield, having been so long of a contrary opinion. I will none of that, but that a time be limited by the Bishops of every Diocese to such, and they that will not yield whatsoever they are, let them be removed; for we must not preferre the credit of a few private men to the generall peace of the Church.

The effect of the meeting and his Majesties exhortation to the Clergy.

Throughout all this conference in every point that was moved, or came to be talked of, the King did shew such knowledge, and readines, as bred not a small admiration in the hearers. Chancellour Egerton wondering to see him so expedite and perfect in all sort of Divinity, said, *That he had often heard, and read, that Rex est mixta persona cum Sacerdote*; but that he saw never the truth of it untill that day. Let me adde that which I was afterward told by Richard Bancroft Archbishop of Canterbury (for whitgift died the next moneth after the conference, one of the great glories of the *English Church*) that when the Rolles were brought in of those that stood out and were deposed, which was some years after, they were found to be fourty nine in all *England*, when as the Ministers of that Kingdome are reckoned nine thousand and above: such a noise will a few disturbers cause in any society, where they are tolerated.

The Chancellor of England his judgement of the King.

The number deposed for disconformity.



An. 1604.

A Parliament  
in England  
for the union.The English  
Commissioners.The power  
given them by  
the Parliament.A Parliament  
in Scotland to  
that purpose.

In the *March* thereafter, a Parliament was kept in *England*, where the King after he had given thanks to the State for the generall applause they shewed in receiving him to the place, which God by birthright, and lineall descent had provided for him, did earnestly move the union of the two Kingdomes, that as they were made one in the head, so among themselves they might be inseparably conjoynd, and all memory of by-past divisions extinguished. A motion that took well at first, and seemed to be generally desired of both Nations, but did not succeed as was wished. The Parliament alwaies at his Majesties desire, and for a demonstration of their obedience did nominate *Thomas Ellesmore* Lord Chancellor of *England*, *Thomas Earl of Dorset* Thesaurer, *Charles Earl of Nottingham* Lord high Admirall, *Henry Earl of Southampton*, *William Earl of Pembroke*, *Henry Earl of Northampton*, *Richard Bishop of London*, *Toby Bishop of Durham*, *Anthony Bishop of S<sup>t</sup> Davids*, *Robert Lord Cecill* principall Secretary to his Majesty, *Edward Lord Souch* Lord President of *Wales*, *William Lord Monteagle*, *Ralph Lord Eure*, *Edmond Lord Sheffeld* Lord President of the Councell of the North, Lords of the higher House: And *Thomas Lord Clinton*, *Robert Lord Buckhurst*, *Sir Francis Hastings* knight, *Sir John Stanhop* knight, Vice-chamberlain to the Kings Majesty, *Sir George Carew* knight, Vice-chamberlain to the Queens Majesty, *Sir John Herbert* knight, second Secretary to his Majesty, *Sir Thomas Strickland* knight, *Sir Edward Stafford* knight, *Sir Henry Newill* of *Barkshire* knight, *Sir Richard Buckley* knight, *Sir Henry Billingsly* knight, *Sir Daniell Dunne* knight, Dean of the Arches, *Sir Edward Hobby* knight, *Sir John Savile* knight, *Sir Robert Wroth* knight, *Sir Thomas Challoner* knight, *Sir Robert Mansell* knight, *Sir Thomas Ridgway* knight, *Sir Thomas Holcraft* knight, *Sir Thomas Hasketh* knight, his Majesties Attorney of the Court of Wards and Liveries, *Sir Francis Bacon* knight, *Sir Lawrence Cawfield* knight, Serjeant at Law, *Sir Henry Hubbard* knight, Serjeant at Law, *Sir John Bennet* knight, Doctor of the Lawes, *Sir Henry Vitherington*, *Sir Ralph Grey*, and *Sir Thomas Lake* knights, *Robert Ashwith*, *Thomas James*, and *Henry Chapman*, Merchants, Knights, and Burgeses of the house of Commons: "Giving them, or any eight, or more of the said Lords of the higher house, and any twenty of the said Knights, and Burgeses of the said house of Commons, full power, liberty, and Commission to assemble and meet, at any time, or times, before the next Session of Parliament, for treating and consulting with certain selected Commissioners, to be nominated, and authorized by authority of the Parliament of the realm of *Scotland*, of and concerning such an union of the said realms of *England* and *Scotland*, and of and concerning such other matters, causes, and things whatsoever as upon mature deliberation, and consideration the greatest part of the said Lords, Knights, Citizens, and Burgeses, being assembled with the Commissioners to be nominated by the Parliament of *Scotland*, shall in their wisdom think and deem convenient and necessary for the honour of his Majesty, and the weal, and common good of both the said realms, during his Majesties life, and under all his progenie, and royall posterity for ever, which Commissioners of both the said realms, shall according to the tenor of their said Commissions, reduce their doings and proceedings into writings, or instruments tripartite, every part to be subscribed, and sealed by them, to the end, that one part thereof may in all humility be presented to his most excellent Majesty, the second part to be offered to the consideration of the next Session of Parliament for the realm of *England*, and the third to be offered to the consideration of the next Parliament for the realm of *Scotland*, that thereupon such further proceeding may be had, as by both the said Parliaments may be thought fit, and necessary for the weal, and common good of both the said realms.

A Parliament in *Scotland* for the same purpose was indicted to the tenth of *April*, and thereafter prorogated to the eleventh of *July*, at which time the Lords Spirituall and Temporall, assembled by virtue of his Majesties Commission, did ordain the persons following, they are to say, *John Earl of Montrose* Chancellor of *Scotland*, *Francis Earl of Arroll* high Constable of *Scotland*, *James Earl of*

Glencarne



*Glencarn, Alexander Earl of Linlithgow, John Archbishop of Glasgow, David Bishop of Ross, George Bishop of Cathnes, Walter Prior of Blantire, Patrick Lord Glamis, Alexander Lord Elphinston, Alexander Lord Fyvie President of the Session of Scotland, Robert Lord Roxburgh, James Lord Abircorn, James Lord Balmerinoth Principall Secretary of Scotland, David Lord of Scone, Sir James Serimgeour of Dudop, knight; Sir John Cockburn of Ormston, knight; Sir John Hume of Couldeknowes, knight; Sir David Carnegie of Kinnard, knight; Sir Robert Melvill elder of Murdocarmie, knight; Sir Thomas Hamilton of Binnie, knight; Sir John Lermouth of Balcony, knight; Sir Alexander Straton of Lawriston, knight; Sir John Sheen of Curry-hill, knight; Mr. John Sharp of Howston, Lawyer; Mr. Thomas Craig Lawyer; Henry Nisbit, George Bruce, Alexander Rutherford, and Mr. Alexander Wedderburne, Merchants, or any twelve of them, "to assemble and convene themselves, after the ending of the present Session "of Parliament, and before the next Session thereof, at such time and in such place "as it should please his Majesties to appoint with certain selected Commissioners "nominated and authorized by the Parliament of England according to the "tenour of their Commissions in that behalf, to conferre, treat, and consult upon "a perfect union of the realms of Scotland, and England, and concerning such "other matters, things, and causes whatsoever, tending to his Majesties honor, and "contentment, and to the weal and tranquillity of both the Kingdomes, during "his Majesties life, and his royall posterity for ever, as upon mature deliberation, "the greater part of the said Commissioners assembled as is aforesaid, with the "Commissioners authorized by the Parliament of England, shall in their wisdom think most expedient and necessary, not derogating from any fundamentall Lawes, ancient priviledges, and rights, offices, dignities, and liberties of the Kingdome. This last clause was added because of the narrative of the English Act wherein it was said, *That it was not his Majesties mind to alter, or innovate the fundamentall lawes, priviledges and good customes of the Kingdome of England,* by the abolishing, or alteration whereof, it was impossible but that a present confusion should fall upon the whole state and frame of that Kingdome. In all other things the Statute in substance was the same with the English.*

An. 1604.

The Scottish Commissioners-

The power granted them.

Soon after this, the King resolving to have *westminster* at London the place of the meeting, letters were directed to the Noblemen and others nominated for Scotland, willing them to addresse themselves to the journey, and to be ready to meet with the other Commissioners the 20 of October; and lest any disorder should fall out in the absence of the Chancellor and others of the Councell, the Lord Newbottle was appointed to attend, and reside in Councell unto their return.

*westminster* appointed for the place of meeting.

The day and place of meeting, was precisely observed by the Commissioners of both Kingdomes, who after many dayes conferences agreed unto certain Articles to be presented to his Majesty and to the Courts of Parliament of both Kingdomes, there to receive such strength and approbation as in their wisdoms should seem expedient: the Articles were as followeth.

Articles of the union.

"It is agreed by the Commissioners of England and Scotland to be mutually "proponed to the Parliament of both realms at the next Sessions, That all *hostile lawes* made and conceived expressly, either by England against Scotland, or "Scotland against England, shall in the next Sessions be abrogated and utterly extinguished.

Hostile lawes extinguished.

"It is also agreed, that all *Lawes, Customes, and Treaties of the Borders* betwixt "England and Scotland shall be declared by a generall Act to be abrogated and "abolished, and that the subjects on either part shall be governed by the Lawes "and statutes of the Kingdomes where they dwell, and the name of the Borders "extinguished.

The name of Borders abolished.

"And because by abolishing the Border Lawes, and Customes it may be doubted "that the executions shall cease upon those sentences that have heretofore been given by the opposite Officers of those Borders, upon wrongs committed before "the death of the late Queen of happy memory; It is thought fit that in case

Order for sentences not satisfied.



An. 1604.

“ the Commissioners or Officers to be appointed by his Majesty before the time  
 “ of the next Sessions of Parliament, shall not procure sufficient redresse of such  
 “ filed Bills and Sentences; that then the said Parliaments may be moved to  
 “ take such order as to their wisdoms shall seem convenient, for satisfaction of  
 “ that which hath been decerned by some Officers; as also how disorders and in-  
 “ solencies may be hereafter repressed, and the countrey which was lately of the  
 “ Borders kept in peace and quietnesse in time to come. As likewise to prescribe  
 “ some order, how the pursuits of former wrongs, preceding the death of the  
 “ late Queen and since the last treatise of the Borders in the years 1596, and 1597.  
 “ which have never as yet been moved, may be continued and prosecuted to a de-  
 “ finitive sentence.

Participation  
 of Commodi-  
 to be mutuall.

“ And forasmuch as the next degree to the abolition of all memory of hosti-  
 “ lity is the participation of *mutuall commodities and commerce*; It is agreed, first  
 “ concerning importation of Merchandise into either realm from forein parts,  
 “ that whereas certain commodities are wholly prohibited by the severall lawes of  
 “ both realms, to be brought into either of them by the natives themselves or by  
 “ any other, the said prohibitions shall now be made mutuall to both, and neither  
 “ an *English* man bring into *Scotland*, nor a *Scotch* man into *England*, any of these  
 “ prohibited Wares and Commodities; Neverthelesse if the said Commodities  
 “ be made in *Scotland*, it shall be lawfull to bring them out of *Scotland* to *Eng-*  
 “ *land*, and so reciprocally of the Commodities made in *England* and carried to  
 “ *Scotland*.

Inequality of  
 priviledges to  
 be be tried.

“ Whereas a doubt hath been conceived against the *equall communication of*  
 “ *trade* betwixt *English* and *Scottish* subjects in matter of *importation*, grounded  
 “ upon some *inequality of priviledges*, which the *Scots* are reported to have in  
 “ forain parts. and namely in *France*, above the *English*, whereby the *English*  
 “ might be prejudged; And that after a very deliberate consideration had of the  
 “ said supposed inequalities, both private and publick examination of divers  
 “ Merchants of either side touching all liberties, immunities, priviledges, imposts,  
 “ and paiments on the part of the *English*, and on the part of the *Scottish*, either  
 “ at *Burdeaux* for their trade of wines, or in *Normandy* or any other part of  
 “ *France* for other Commodities; it appeared, that in the Trade of *Burdeaux*  
 “ there was, and is so little difference, in any advantage of priviledges or immuni-  
 “ ties, or in the imposts and paiments, all being reckoned and well weighed on ei-  
 “ ther side, as it could not justly hinder the communication of trade: In the trade  
 “ of *Normandy* likewise or any other parts of *France*, the advantage that the *Scot-*  
 “ *tish* subjects by their priviledge is acknowledged to have, is such, as without  
 “ much difficulty may be reconciled and reduced to an equality with the *English* by  
 “ such means as is hereafter declared: It is agreed that the *Scottish* men shall be free  
 “ for the transporting of wine from *Burdeaux* into *England* paying the same cu-  
 “ stomes and duties that the *English* men doe pay, and the *English* men shall be like-  
 “ wise free for transporting of wine or other commodities from *Burdeaux* into  
 “ *Scotland*, paying the same Customes and duties that the *Scottish* men doe pay  
 “ there.

Importation to  
 be free to both  
 people.

“ And likewise for clearing and resolving the doubts touching the advantage  
 “ that the *Scots* are supposed to have above the *English* in buying and transporting  
 “ the *commodities of Normandy*, and of other parts of the Kingdome of *France*,  
 “ (excepting the buying of wine in *Burdeaux*, which is already determined:)  
 “ It is agreed, that there shall be sent some meet and discreet persons into *France*  
 “ two for either side, to take perfect notice of any such advantage as either the  
 “ *English* have above the *Scots*, or the *Scots* above the *English* in the buying or  
 “ transporting of any Commodities of *Normandy* or any parts of *France* (ex-  
 “ cepting the wine of *Burdeaux*) and as the said persons shall finde the advantage  
 “ to be, so for making the trade equall, the custome shall be advanced to the  
 “ King in *England* and *Scotland*. And for the part of those that have the advan-  
 “ tage and according to the proportion of the said advantage, the advancement  
 “ of the custome to continue no longer then the priviledge having such advantage,  
 “ shall



“shall continue, and that generally for all other Trade from any parts the *English*  
“and *Scottish*, subjects each in others Countrey shall have liberty of impor-  
“tation as freely as any of the native subjects themselves having speciall Privi-  
“ledge.

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“Next concerning exportation, It is agreed, that all such goods as are prohi-  
“bited and forbidden to *English* men themselves to be transported forth of *Eng-*  
“land to any forein part, the same shall be unlawfull for any *Scottish* men or any  
“other to transport to any forein Nation beyond sea, under the same penalties  
“and forfeitures that the *English* are subject unto: and reciprocally that forth of  
“Scotland no *English* men shall transport to any forein part the Goods or Com-  
“modities that are prohibited in Scotland to *Scottish* men themselves; Neverthe-  
“less such Goods, and Commodities, and Merchandises as are licensed to *En-*  
“glish men to transport out of *England* to any forein part, the same may be like-  
“wise transported by *Scottish* men thither, they certifying their going into forein  
“parts, and taking a Cocquet accordingly, and paying the ordinary Custome that  
“*English* men doe pay themselves at the exporting of such Wares: The like liberty  
“to be for *English* men in Scotland.

Exportation of  
Goods pro-  
hibited made  
unlawfull to  
both.

“As for the *Native Commodities* which either of the Countreys doe yield and  
“may serve for the use and benefit of the other, It is agreed that mutually there  
“may be transported forth of *England* to *Scotland*, and forth of *Scotland* to *Eng-*  
“land, all such Wares, as are either of the growth, or handy-work of either of  
“the said realmes, without payment of any impost, custome, or exaction; and  
“as freely in all respects, as any Wares may be transported either in *England*;  
“from part to part, or in *Scotland* from part to part; excepting such particular  
“sorts of Goods, and Merchandises, as are hereafter mentioned; being restrain-  
“ed for the proper, and inward use of each Countrey: And for that purpose it is  
“declared, That both this communication of benefit, and participation of the  
“Native Commodities of the one Countrey with the other, there shall be speci-  
“ally reserved, and excepted the sorts hereafter specified; That is to say, Wool;  
“Sheep, Sheepfell, Cattell, Leather, Hides, and Linnen yarn, which are speci-  
“ally restrained within each Countrey, not to be transported from the one to the  
“other: Excepting also and reserving to the *Scottish* men their trade of fishing  
“within their Loches, Forthes, and Bayes, within land; and in the Seas, within  
“fourteen miles of the Coasts of the Realm of *Scotland*; where neither *English*  
“men, nor any Strangers have used to fish: And so reciprocally in the point of  
“fishing, on the behalf of *England*. All which exceptions, and restrictions are  
“not to be understood, or mentioned in any sort, for a mark or note of separati-  
“on, or disunion, but only as matters of policy and conveniency for the seve-  
“rall estate of each Countrey.

Order for Na-  
tive Commodi-  
ties.

“Furthermore it is agreed, that all *foreign Wares* to be transported forth of  
“Scotland to *England*, or out of *England* to *Scotland* by any of the Kings subjects  
“of either Kingdomes, having at their first entry once paid custome in either of  
“the Kingdomes, shall not pay outward custome therein afterwards, save only in-  
“ward custome at that Port whereunto they shall be transported: But the owner  
“of the Goods, or the Factor, or Master of the ship, shall give bond not to trans-  
“port the same into any forein part.

Order for  
Customes.

“It is also agreed, that *Scottish* men shall not be debarred from being *associates* un-  
“to any *English company* of Merchants as Merchant-venturers or others, upon such  
“conditions as any *English* man may be admitted, and so reciprocally for *English*  
“men in Scotland.

Scots may be  
associated in  
*English* Com-  
panies.

“It is nevertheless agreed by mutuall consent and so to be understood, that the  
“mutuall libertie aforesaid of *Exportation* and *Trade* in each part from the one to  
“the other, shall serve for the inward use only of either Realm; and order taken  
“for restraining and prohibiting the transportation of the said Commodities  
“into *foreign parts*, and for due punishment of those that shall transgresse in that  
“behalf.

Order for  
transportation.

“And for the better assurance and caution herein, It is agreed that every  
“Merchant



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Punishment of  
such as shall  
transgress.

“ Merchant so offending, shall *forfeit his Goods*; The *Ships* wherein the said *Goods*  
 “ shall be transported *Confiscated*; The *Customers, Searchers,* and other Officers  
 “ of the *Custom* whatsoever, in case of consent or knowledge on their part, to  
 “ lose their *Offices* and *Goods*, and their bodies to be imprisoned at his Majesties  
 “ pleasure. Of which *escheats* and *forfeitures*, two parts shall appertain to his  
 “ Majesty, if the *Customs* be unfarmed, and the third to the *Informer*: and if the  
 “ *Customs* be farmed, one third of the *forfeiture* shall belong to his Majesty, a  
 “ third to the farmers of the *Customs*, and the other third to the *Informer*. The  
 “ triall of the offence to be summar in either *Countrey* in the *Exchequer Chamber*  
 “ by writ, sufficient witnesses, or oath of partie, or before the *Justice* by Jury, or  
 “ *Affise*, and his Majesties Officers in either *Countrey* to convene with the *Com-*  
 “ plainers that interest in the pursuit.

Caution to be  
given by the  
owners and  
Masters of  
Ships.

“ As also for the more surety that there shall be no transportation of such  
 “ Goods; It is agreed that at the shipping of all such *Native Commodities* there be  
 “ taken by the *Customer* of the *Port* where the *Goods* or *Wares* are imbarked, a  
 “ *Bond* or *Obligation* subscribed by the *Owner* of the said *Goods*, and *Master* of  
 “ the *Ship*; by the *Owner* if he be present, and in case of his absence by the  
 “ *Master* of the *Ship*, and *Factor* or party that ladeth the same; which *Bond* shall  
 “ contain a summe of money answerable to the value of the *Goods*, with condition  
 “ of relieving the party obliged, and discharging him of the said *Bond* in case  
 “ return be made of a due certificate to the *Custom* where the *Goods* were laden,  
 “ from any part within *England* or *Scotland*: The *Certificate* to be subscribed,  
 “ and sealed by the Officers of the *Customs* of the part where the said *Goods*  
 “ shall arrive, and be unladen; or if there be no such Officers there, by the *Chief*  
 “ *Magistrate*, and *Town Clerk* of that *Harbour* or *Town*, under their hand  
 “ and Seal.

Indifferency  
of freighting.

“ It is further agreed touching the indifferent *freighting* of *Comodities* either in  
 “ *English* or *Scotish* bottomes, that *English* men and *Scotish* men freight and laden  
 “ their goods each in others *Sh ps* and bottoms indifferently, paying only *English* &  
 “ *Scotish* custome, notwithstanding any contrary laws or prohibitions. And that a pro-  
 “ position be made to the *Parliament* of *England* for establishing some good orders  
 “ for upholding and maintaining the great fishing of *England*; as likewise that a  
 “ proposition be made to the *Parliament* of *Scotland* for the making of their ship-  
 “ ping more proportionable in burthen to the shipping of *England*, the better to  
 “ serve for equality of trade, and a common defence for the whole Isle.

Postnati decla-  
red free.

“ And because it is requisite that the mutuall communication aforesaid be not  
 “ only extended to matter of commerce, but to all other benefits and priviledges of  
 “ naturall born subjects, it is agreed that an *A&t* be proponed to be passed in man-  
 “ ner following: That all the subjects of both realms born since the decease of the  
 “ late *Queen*, and that shall be born hereafter under the obedience of his Majesty  
 “ and of his Royall Progeny, are by the *Common laws* of both realms, and shall be  
 “ for ever enabled to obtain, succeed, inherit and possess all goods, lands and cat-  
 “ tels, honours, dignities, offices, liberties, priviledges, and benefices Ecclesiasticall  
 “ or Civill, in *Parliament* and all other places of the kingdomes, & every one of the  
 “ same, in all respects and without any exception whatsoever, as fully and am-  
 “ ply as the subjects of either realm respectively might have done, or may do in any  
 “ sort within the kingdom where they are born.

Exception for  
Offices of the  
Crown

“ Further whereas his Majesty out of his great judgement and providence hath not  
 “ onely professed in publick and private speech to the Nobility, and Councell of  
 “ both, but hath also vouchsafed to be contented that for a more full satisfaction and  
 “ comfort of all his loving subjects, it may be comprised in the said *A&t*, that his Ma-  
 “ jesty meaneth not to confer any office of the *Crown*, any office of *Judicature*, place,  
 “ voice, or office in *Parliament* of either kingdom upon the subjects of the other  
 “ born before the decease of the late *Queen*, untill time and conversation have en-  
 “ creased & accomplished an union of the said kingdomes, as well in the hearts of all  
 “ the people and in the conformity of laws and policies in these kingdoms, as in the  
 “ knowledge and sufficiency of particular men, who being untimely employed in  
 such



“ such authorities could no way be able, much less acceptable to discharge such du-  
 “ ties belonging to them. It is therefore resolved by us the Commissioners afore-  
 “ said not onely in regard of our desires and endeavours to further the speedy con-  
 “ clusion of this happy work intended, but also as a testimony of our love and  
 “ thankfulness for his gracious promise, on whose sincerity and benignity we build  
 “ our full assurance, even according to the inward sense and feeling of our own loy-  
 “ all and hearty affections, to obey and please him in all things worthy the subjects of  
 “ so worthy a Sovereign, that it shall be desired of both the Parliaments, to be enact-  
 “ ed by their authority, that all the subjects of both realmes, born before the decease  
 “ of the late Queen, may be enabled and capable to acquire, purchase, inherit, suc-  
 “ ceed, use and dispose of all lands, goods, inheritances, offices, honours, dignities, li-  
 “ berties, privileges, immunities, benefices and preferments whatsoever, each subject  
 “ in either kingdome, with the same freedom and as lawfully and peaceably as the  
 “ very naturall and born subjects of either realm, where the said rights, estates or  
 “ profits are established: notwithstanding whatsoever law, statute, or former con-  
 “ stitutions heretofore in force to the contrary other then to acquire, possess,  
 “ succeed or inherit any office of the Crown, office of Judicatory or any voice, place  
 “ or office in Parliament, all which shall remain free from being claimed, held or  
 “ enjoyed by the subjects with the one kingdome within the other, born before the  
 “ decease of the late Queen, notwithstanding any words, sense or interception of  
 “ the Act, or any circumstance thereupon depending, untill there be such a perfect  
 “ and full accomplishment of the union as is desired mutually by both the realms.  
 “ In all which points of reservation either in recitall of the words of his Majesties  
 “ sacred promise, or in any clause or sentence before specified from enabling them  
 “ to any of the aforesaid places, or dignities; it hath been and ever shall be so far  
 “ from the thoughts of any of us, to presume to alter or impair his Majesties Pre-  
 “ rogative royall (who contrarywise do all with comfort and confidence depend  
 “ herein upon the gracious assurance which his Majesty is pleased to give in the de-  
 “ claration of his so just and Princely care and favour to all his people) as for a fur-  
 “ ther laying open of our clear and dutifull intentions towards his Majesty in this  
 “ and in all things else which may concern his prerogative, we do also herein  
 “ profess and declare that we think it fit there be inserted in the Act, to be propo-  
 “ ned and passed, in expresse terms a sufficient reservation of his Majesties Preroga-  
 “ tive royall to denize, enable and preferre to such offices, honours, dignities and  
 “ benefices whatsoever in both the said kingdomes, and either of them, as are here-  
 “ tofore excepted in the preceding reservation of all *English* and *Scottish* subjects  
 “ born before the decease of the late Queen, as freely, sovereignly, and absolutely,  
 “ as any of his Majesties most noble progenitors or predecessors Kings of *England*  
 “ or *Scotland*, might have done at any time heretofore, and to all other intents  
 “ and purposes in as ample manner as no such Act had ever been thought of or  
 “ mentioned.

An. 1604.

Reservation  
 of his Maje-  
 sties Preroga-  
 tive.

“ And for as much as the severall jurisdictions and administrations of either  
 “ realm may be abused by malefactors, by their own impunity, if they shall com-  
 “ mit any offence in the one realm and afterwards remove their person and abroad  
 “ unto the other; It is agreed that there may be some fit course advised of by the  
 “ wisdomes of the Parliaments for tryall and proceeding against the persons of  
 “ offenders remaining in the one realm for and concerning the crimes and faults  
 “ committed in the other realm. And yet nevertheless that it may be lawfull for  
 “ the Justice of the realm where the fact is committed, to remand the offender re-  
 “ maining in the other realm to be answerable unto justice in the same realm where  
 “ the fact was committed, and that upon such remand made the offender shall be  
 “ accordingly delivered, and all further proceeding if any be in the other realm shall  
 “ cease, so as it may be done without prejudice to his Majesty or other Lords in  
 “ their Escheats, and forfeitures: with provision nevertheless, that this be not  
 “ thought necessary to be made for all criminall offences, but in speciall cases onely,  
 “ as namely in the cases of wilfull murder, falsifying of moneys, and forging of

Remanding  
 of malefactors.



An. 1604.

A scroll of the  
Articles pre-  
sented to the  
King.

The Kings  
speech to the  
Commissioners

The title of  
great Britain  
assumed.

Pieces of gold  
and silver  
coyned.

The Earl of  
Montrose made  
Commissioner  
of the kingdom

The Lord Fyvie  
received  
Chancellor.

An. 1605.

The generall  
Assembly con-  
tinued.

"Deeds, Instruments, and writings, and such other like cases as upon further advice  
"in the said Parliaments may be thought fit to be added.

These were the Articles agreed upon, which written in their severall scrolls of Parchment were subscribed and sealed at *westminster* the sixth of *December* by the Commissioners of both Parliaments, and one thereof presented the same evening to his Majesty by the Earl of *Salisbury*, who in name of the whole number there present having shewed what pains they had taken in that business, and how after many conferences they were grown to the resolution contained in that scroll, besought his Majesty to accept graciously that which was done, and made offer of their best service in perfecting that work as they should be employed.

The king professing a great content did specially thank them for reserving his *Prerogative*, in the preferment of men to offices and honours, in either kingdome: for inequality, said he, of liberties and priviledges is not the way to effect the union I desire; capacity of offices ought to be equall to both people; but the moderation of that equality must be left to me, neither you to suspect that I will offer any manner of grievance to either of the Countreys, or do any thing that may kindle emulation among them, considering the desire I have to see you united in a fast and indissolueable amity. This said, he recommended the prosecution of that business in the severall Parliaments to their fidelity and trust; wishing them to lay aside all jealousies, needless fears and other worse passions in a matter that so nearly concerned the good and benefit of both kingdomes.

Some moneths before the King had assumed by virtue of his Prerogative the title of *The King of great Britain*, commanding the same to be used from thenceforth in all Proclamations, Missives and Treaties, and the names of *England* and *Scotland* to be discontinued (except in instruments of private parties, and where legality of process would not admit the same:) this same in both kingdomes took ill, but his Majesty esteeming those names whereby they had been called no better then names of hostility, would needs have the antient name of *Britain* received, and these of *Scotland* and *England* abolished. In like manner he did prohibite the name of the borders to be used, and ordained all places of strength in these parts (the houses of Noblemen and Barons excepted) to be demolished, their Iron gates to be turned into Plow Irons, and the inhabitants to betake themselves to labour and the exercises of peace; for the same purpose he did break the Garisons at *Barwick* and *Carlisle*. And in memory of the union so happily begun made divers pieces of gold and silver to be coyned, upon some whereof were engraven these inscriptions: *Qua Deus conjunxit nemo separet*; and, *Tueatur unita Deus*. On others, *Faciam eos in gentem unam*; and, *Henricus rosas, Regna Jacobus*.

During this conference the Lord *Fyvie* President of the Session supplied the place of the *Scottish* Chancellor, and was shortly after preferred to the same office by the Earl of *Montrose* his dismissal, who in stead thereof was made Commissioner and deputy of *Scotland* during life; Secretary *Elphinston* was chosen President of the Session, and all affairs trusted by his Majesty to the Chancellor and him; with a speciall direction that they should be assisting to the Church, and maintain those whom his Majesty had preferred in the places of Bishops in the same. How they answered the trust committed to them in this particular, we shall hear.

But leaving the matter of State let us now see how things went at that time in the Church. The generall Assembly that should have kept at *Aberdene* in *July* 1604, was continued because of the union to the same moneth in the year following. The King being informed of a great preparation that the Ministers made for keeping that meeting, and that they intended to call in question all the conclusions taken in former Assemblies for the Episcopall government, directed the Commissioners of the Church to desert the Diet, and make no indication of another till he should be advertised. They accordingly did intimate his Majesties pleasure to all the Presbyters, and therewith as they were desired declare that his Majesty did purpose to call a number of the Bishops and disaffected Ministers to court; and for preventing such disorderly meeting, hear the differences that were among them debated in his own person.

The



The greater part resolved to obey; *nine Presbyteries* onely of *Fifty* (so many there are reckoned in the whole kingdome) sent their Commissioners to keep the meeting. The chief leaders of this stir was Mr. *John Forbes* Minister of *Amford*, and Mr. *John Welch* Minister at *Ayre*. These two having encouragement given them in private by some principally in the State, used all means to bring the Ministers together, & were in expectation of a frequent assembly; yet when the day appointed came, there convened thirteen only, and after some two or three days seven or eight more.

The names of the Ministers that convened were Mr. *Charles Farum* Minister of *Frazerburgh*, Mr. *Robert Youngson* Minister at *Clat*, Mr. *James Mill* Minister at *Innervy*, Mr. *Alexander Straughen* Minister at *Creich*, Mr. *David Robertson* Minister at *Feterangus*, Mr. *Robert Rid* Minister at *Towch*, Mr. *John Monro* Subdean at *Rosse*, Mr. *William Forbes* Minister at *Rinbethock*, Mr. *William Davidson* Minister at *Ruthven*, Mr. *Thomas Abernethy* Minister at *Hawick*, Mr. *James Grey* Minister at *Lowdon*, Mr. *Nathaniel Ingly* Minister at *Cragy*, Mr. *James Rosse* and Mr. *Archbold Blackburn* Minister at *Aberdene*, *John Rosse* Minister at *Blare*, Mr. *John Sharpe* Minister at *Kilmeny*, Mr. *Andrew Duncan* Minister at *Cruill*, Mr. *Robert Dury* Minister at *Anstruther*, with the said Mr. *John Forbes* and Mr. *John Welch*. Sir *Alexander Straiton* of *Lowreslon*, Commissioner for his Majesty in Church affairs, upon a rumour he heard of a meeting to be kept, lest any imputation of negligence should be laid on him, prevented the same. And by letters he had obtained from the secret Councell caused discharge the Assembly at the market Crosse of *Aberdene*: they nevertheless convened the next day, which being reported to the Commissioner, he went to the place and in his Majesties name commanded to dissolve. They replying, "That they were warranted by the laws of the Countrey, and that they could not betray the liberties of the Church by giving way to such unlawfull prohibitions. He shewed them" that the libertie granted for keeping Assemblies could not annull his Majesties power, nor denude him of his Prerogative in the continuing or discharging these meetings, when he should finde cause: For even the Parliament which is the highest Court of the kingdome, said he, is disposed as the King thinketh meet, at his pleasure it is called, prorogued, dismissed and deserted, as he judgeth most convenient. And you will not I trust equall your Assemblies to the Parliament of the three Estates. Besides, you are not a number, you want the ordinary Clark; neither is the Moderator of the last Assembly present, and can do nothing orderly. After a little debating they request him to remove till they should deliberate among themselves what were best for them to do, but he was no sooner gone but then they choose Mr. *John Forbes* Moderator, and that done continued the Assembly to the last day of *September*, thinking by this means to preserve their liberty.

*Lowreslon* finding himself in this abused, caused to execute the letters and denounced them Rebels. And lest they should make a new business in *September* complained to the Councell of the disobedience given to their charge: order was taken hereupon to summon them before the Councell, and a beginning made with the two Leaders of the rest, Mr. *Forbes* and Mr. *Welch*, being charged to a certain day of the same moneth. They appeared and standing to the defence of that which they had done were committed to the Castle of *Blackness*; direction was likewise given for citing the rest to the third of *October*.

At the day all appeared and being charged for disobeying his Majesties letter thirteen of the number acknowledging their offence, and protesting that what they did was not out of disobedience, intreated the Lords to intercede with his Majesty for their Pardon: the rest taking contrary course, and maintaining their proceedings were Committed to severall prisoners; their names were, Mr. *Charles Farum*, Mr. *John Monro*, Mr. *James Irwyn*, Mr. *William Forbes*, Mr. *Nathaniell Inglis*, Mr. *Andrew Duncan*, Mr. *James Grey*, and Mr. *John Sharp*: Some of these being sent to *Dunbarton*, others to *Blackness*, and some to the Castle of *Dowu*; the others that had confessed their offence were dimitted & suffered to return to their charges.

These proceedings of the Councell were openly condemned by divers preachers; and to make them more odious, it was every where given out that the suppressing

An. 1605.

A number convene notwithstanding the discharge.

The names of them convened.

The Kings Commissioner dischargeth the meeting.

The Ministers denounced and cited by the councell for their disobedience.

Some confess their fault and are pardoned

Others maintain their meeting and are Committed

The proceedings of the Councell condemned by the Ministry.



An. 1605.

of Assemblies and present discipline with the introduction of the rites of *England*, were the matters intended to be established, whereupon the declaration following was by his Majesties command published.

His Majesties  
Declaration  
touching some  
rumours dis-  
persed.

“ Whereas we have ever since it pleased God to establish us in the imperiall  
“ Crown of great *Britain* equally regarded the good of both kingdomes, now hap-  
“ pily united in our royall person in one Monarchy, ever minding to maintain and  
“ continue the good and laudable customes and laws, whereby each of them hath  
“ been these many ages so worthily governed, nevertheless some malicious spirits,  
“ enemies to common tranquillity, have laboured to possesse the mindes of our well  
“ affected subjects with an opinion that we do presently intend a change of the au-  
“ thorized discipline of the Church, and by a suddain and unseasonable laying on of  
“ the rites, ceremonies and whole Ecclesiasticall order established in this part of our  
“ kingdome of *Britaine*, to overturn the former government received in these parts;  
“ which none of our good subjects we trust will be so credulous to believe, knowing  
“ how carefull we have been to maintain both Religion and Justice, and to reform  
“ the evils that did in any sort prejudice the integrity of either of the two, whereby  
“ justice hath attained under our government to a greater perfection and splendor  
“ then in any of our predecessors times, and many abuses and corruptions in the di-  
“ scipline of the Church amended that otherwise might have brought the purity of  
“ Religion in extreme danger; neither of which was done by our sovereign and ab-  
“ solute authority (although we enjoy the same as freely as any King or Monarch  
“ of the world) but as the disease of the civill body ever was cured by the advise of  
“ our three Estates, so were the defects of the Church by the help and counsell of  
“ those that had greatest interest therein.

The King his  
resolution in  
making no  
sudden change  
in the Church  
policy.

“ And however in rule of policy we cannot but judge it convenient, that two  
“ estates so miserably disjoyned should be drawn to as great conformity in all  
“ things, as the good of both may permit; and that no Monarchy either in Civill  
“ or Ecclesiasticall policy hath yet obtained to that perfection, that it needs no re-  
“ formation, or that infinite occasions may not arise, whereupon wise Princes will  
“ foresee for the benefit of their estates just cause of alteration; yet are we, and ever  
“ have been resolved not to make any suddain and hasty change in the government  
“ of that part of our kingdome either Civill or Ecclesiasticall, but with grave advise  
“ and consent of our Estates, and the wisest and best sort of them whom it most  
“ properly concerns, much less to trouble them with an unnecessary alteration of  
“ indifferent and ceremoniall matters, and to do it upon such foreseen advantages  
“ and prevention of confusion and evill to come, as the greatest enemies to peace  
“ and obedience to Princes shall not obtrude any inconvenient to the contrary.  
“ And as by Gods holy assistance we have drawn that part of our kingdome out of  
“ infinite troubles, factions and barbarities reducing the utmost borders and con-  
“ fines thereof to Gods obedience and acknowledging of our laws, (a condition  
“ never heard of since this Isle was first inhabited) so by the same divine providence  
“ and our fatherly care over the whole Island, we intend to transmit the same in  
“ good order, happy quietness and flourishing policy to the posterity wherewith God  
“ hath blessed us, and after them to the worlds end: Like as for the more verification  
“ of his own honourable intention, and to stop the mouths of those unquiet spirits,  
“ raisers of that false scandall of alteration, we have appointed a generall Assembly  
“ to be holden at *Dundie* the last Tuesday of *July*, whereat we expect a reparation  
“ of these disorders in as farre as belongeth to their censure, and to be freed in time  
“ coming of all such calumnies. Given at our Honour of *Hampton Court* the 26 of  
“ *September* 1605, and in the third year of our reign of *Great Britain, France* and  
“ *Ireland*.

The Copies of this Declaration were sent to the Ministers remaining in ward, that they might see the vanity of these rumors, and be induced to acknowledge their offence; but they still continuing in their obstinacy, and shewing no tokens of penitency, were again called before the Councell the 24<sup>th</sup> of *October* to receive their censure for the disobedience of his Majesties commandements. At which time being,



being enquired what they had to say for themselves, and how they could excuse the contempt of his Majesties directions; after some speeches tending to justify their doings, they presented a write, a Declaration formed in this sort:

An. 1605.

*Please your Lordships, the approbation or disallowance of a Generall Assembly hath been, and should be a matter spiritual, and alwaies cognosced and judged by the Church as Judges competent within this Realm: and seeing we are called before your Lordships to hear and see it found and declared, that we have contemptuously and seditiously convened and assembled our selves in a Generall Assembly at Aberdene the first Tuesday of July last, and the said Assembly to be declared unlawfull, as at more length is contained in the summons executed against us; We in consideration of the premises and other reasons to be given by us, have just cause to decline your Lordships judgment as no waies competent in the cause above specified, and by these presents we simpliciter decline the same, seeing we are most willing to submit our selves to a triall of a Generall Assembly that is only the Judge competent. Subscribed with our hands the 24<sup>th</sup> of October, 1605.*

The form of  
their Declina-  
tour.

The subscribers were, Mr. John Forbes, Mr. John Welch, Mr. John Monro, Mr. Andrew Duncan, Mr. Alexander Straghan, Mr. James Greg, Mr. William Forbes, Mr. Nathaniel English, Mr. Charles Farum, Mr. James Irwyn, Mr. John Sharp, Mr. Robert Dury, Mr. John Resse, and Mr. Robert Youngson.

The last of these was one that had acknowledged his offence and craved pardon, yet at this Diet compeired with these others, professing, *That he was troubled in conscience for the confession he had made, and that he would now take part with the brethren, who stood to the defence of the good cause*, as he termed it. The Councell repelling the Declinatour, declared the Assembly to have been unlawfull, and those that met in the same contrary to his Majesties command punishable. But because they had added to their former fault, the crime of Treason, it was thought meet to deferre the Censure till the King should be acquainted therewith, and his pleasure known.

The Assembly  
declared un-  
lawfull.

No sooner was his Majesty advertised of the Declinatour, then direction was sent to the Councell for proceeding against them according to the laws: whereupon the six that were imprisoned in Blacknesse, (that is to say) Mr. John Forbes, Mr. John Welch, Mr. Andrew Duncan, Mr. John Sharp, Mr. Robert Dury, and Mr. Alexander Straghan, were upon the tenth of January thereafter brought to the Town of Linlithgow, and presented upon Pannell before the Justice, who was assisted by a number of Noblemen and others of the Privie Councell.

Some of the  
Ministers pur-  
sued criminal-  
ly.

The Indictment made, which was grounded upon the *Statute of Parliament* holden in May 1584. touching his Majesties Royall Power over all Estates, and the presumptuous fact committed by them in declining the judgment of the Councell; Certain of their brethren did supplicate the Justice for licence to conferre with them apart, that they might perswade them to an humble submission and acknowledgment of their offence. This obtained, they were most earnestly dealt with (as well by their Brethren as by the Advocates that came to plead for them) to relinquish their wilfulness, and not to exasperate the King by standing to the defence of their Declinatour; but no perswasions could avail. So returning to the Barre they were desired to answer, and shew a reason (if any they had) why the matter should not passe the triall of a Jury. The Advocates that stayed with them (for the two principalls refused to plead because of their obstinacy) excepting against the Indictment, said that the *Statute 1592.* whereby it was declared, *That the Act made against declining of the Councells judgment should not derogate any thing from the priviledges which God had given to the spirituall office-bearers in the Church concerning heads of Religion in matters of heresie, collation and deprivation of Ministers, or any such essentiall censures, having warrant of the word of God; and that thereupon inferred that their meeting at the time libelled in Aberdene being an essentiall censure warranted by Gods word, they might lawfully have declined the Councells judgment from taking cognition therein.*

The Indict-  
ment.

Exception pro-  
poned by the  
Advocates.

It was answered by his Majesties Advocate, "That the exception was naught, "because the keeping of an Assembly at a certain time and place, and the appoint-  
"ing of another contrary to his Majesties direction and the charge of the Councell,  
" was

The Reply to  
the Exception.



An. 1605.



“was neither a head of Religion, nor matter of heresie, nor excommunication, nor an  
 “essentiaall censure, and so being no waies comprehended under that limitation,  
 “their declining of the Councell when as they were called to answer for the keep-  
 “ing of that Conventicle in the Town of *Aberdene*, must of necessity come under  
 “the generality of the Statute 1584, and bring them under the punishment of  
 “Treason.

The Ministers  
 found guilty of  
 Treason.

The matter after some dispute being put to triall of an Assise, all the six were found guilty of Treason, and returned to their severall prisons till his Majesties pleasure concerning their punishment should be certified; what this was, in the story of the next year shall be declared. Mean while a Proclamation went out, discharging all the subjects of what rank, place, calling, function, or condition soever, either in publick or private, to call in question his Majesties authority Royall, or the lawfulness of the proceeding against the said Ministers, or to make any other construction of the Statute concerning the declining of his Majesties and the Councells judgment, then made in that decision of the Justice; with certification of those that contravened, that they should be called and severely punished as seditious persons and wilfull contemnors of his Majesties most just and lawfull government.

A Proclamation  
 that none  
 should oppose  
 the decision of  
 the Justice.

A Convention  
 of Estates.

His Majesties  
 Letter directed  
 to the Estates.

Before these stirres in the Church a Convention of the Estates was kept the sixth of June at *Edinburgh*, where a Letter was presented by his Majesty to the Estates full of affection. The Letter was to this effect, *That his Majesties love being nothing diminished through his absence towards that his native and antient Kingdome, he did wish them to contend in a laudable emulation who should live most vertuously, and be most obedient to the laws; That the Nobility should give assistance to the execution of justice, and be in all things a good ensample to their inferiours: The Barons should set themselves to procure the good of the Kingdome: And the Burgeses apply their mindes to the increase of trade, especially the trade of fishing, which had been long neglected, and to the working of cloth that had made their neighbour Countrey so famous. To them all be recommended the rooting forth of barbarity, the planting of Colonies in the Isles, and peopling the same with civil and industrious persons, assuring them that they so behaving themselves, their liberty should be as dear to him as either his life or estate.*

The Acts pas-  
 sed in the  
 Convention.

This was the substance of the Letter, which the Chancellour having resumed, and thereunto added many perswasions for the following of those wholsome and profitable counsells, the Estates did expresse a great forwardness that way, and after a long deliberation condescended upon divers good Acts, which if they had been all carefully put in practise, as they were wisely devised, the Kingdome had long before this time tried the benefit thereof. Amongst other directions, the removing of the barbarous fewds was recommended to the Councell, whereof they were desired to make a Roll and urge the parties to reconcile; and if they refused, then to assure them to the peace, and commit them to ward till the same was secured. And whereas the custome had been to cause parties assure one another, the King did prohibit the same as a thing dishonourable and arguing too great presumption in the subject, seeing the Law should be to every man a sufficient assurance. The Councell reverencing his Majesties direction, did ordain that course from thenceforth to be observed, and all assurances to be taken for the peace thereafter, and not of one party to another: Beginning being made with the Lord *Maxwell*, and the Lord of *Johnston*, they were moved to joyn hands and reconcile in presence of the Councell.

The enterprise  
 of the Lewes  
 defeated.

This Summer the enterprise of the *Lewes* was again set on foot by *Robert Lumisdale* of *Ardrie* and *Sir George Hay* of *Netherliffe*, to whom some of the first undertakers had made over their right. In August they took journey thither, and by the assistance of *Mackey Mackenzie* and *Donald Gorum* forced the Inhabitants to remove forth of the Isle, and give surety not to return.

*Ardrie* and his Copartners thinking all made sure, and that there was no more danger, returned South about *Martinmas*, leaving some Companies to maintain their possession, which they made good all that Winter, though now and then they were assaulted by the Isles-men. In the Spring *Ardrie* went back taking with him

fresh



fresh provision, and fell to build and manure the lands. But this continued not long, for moneys failing, the workmen went away, and the Companies diminishing daily, the Natives having associated a number of Isles men made a new invasion about the end of harvest, and by continuall incurfions so outwearied the new possessors, as they gave over the enterprife, and were contented for a little summe of money to make away their rights to the Laird of *Mackenzie*. This turned to the ruine of divers of the undertakers, who were exhausted in means before they took the enterprife in hand, and had not the power which was required in a business of that importance.

In the end of the year a horrible Conspiracy was detected against the King, and the whole body of the State of *England*; the names of the Conspirators were *Robert Catesby*, *Thomas Percy*, *Thomas Winter*, *John Wright*, and *Guido Faulks*, English men all, and Papists by profession. These five meeting together and consulting by what mean they might best relieve the *Catholick Cause*, (so they spake) *Thomas Percy* proponed the *killing of the King*, and at his own perill made offer to perform the same. *Catesby*, who had another plot in his head, answered, "That they would not hazard him so, and that albeit it should succeed, the case of the Catholick cause would be no better, the Prince and Duke of *Yorke* being left alive; yea if both these were cast away, yet the Counsellors, Nobility, Judges, Knights, and a great many others addicted to Religion, would be remaining who should be able enough to restore the estate, and crosse all their purposes: That therefore he had bethought himself of a better and more safe way, which was at one time, and with one blow to cut off all their enemies. This he said was by blowing up the Parliament house with gunpowder at the time when the King and Estates were assembled. The advice pleased them all; but first it was thought meet to ask the opinion of their ghostly Fathers, and be informed of the lawfulness of the fact; as of *Henry Garnet*, *Oswould Tesmond* alias *Greenwall*, and *John Gerard* Jesuits, who being consulted commended the enterprife, assuring them they might go on with a good conscience and perform the deed, seeing they were Hereticks, and persons *ipso jure* excommunicated against whom they were set.

This resolution satisfying their consciences, for their greater security they took an *Oath of Secrecy*, "swearing each to other by the sacred Trinity and the blessed Sacrament they were at that time to receive, that neither directly nor indirectly, by word or circumstances they should discover the purpose they had taken to any whomsoever, nor should desert from performing the same without licence of their associates. This Oath was given upon a *Primer* in the presence of *Gerard* the Jesuit, and having heard *Masse* and received the Sacrament, *Thomas Percy* was appointed to hire a house nigh adjoyning to the Parliament for the more safe and secret working of the myne.

This being obtained, yet with difficulty enough, they entred to work, and after divers intermissions because of proroguing the Parliament, when they had brought the myne to the midst of the wall, they found the opportunity of a Cellar under the Parliament house to be let, and leaving the myne, for that the wall was hard to be digged through, they hired the cellar, and put in it 36 barrels of powder, a number of billets, faggots, and a great quantity of coles, wherewith they covered the barrels. They had called in *Christopher Wright*, *Robert Winter*, *John Graunt*, and *Thomas Bates*, *Catesby's* servant, and communicated the matter to them. This last was troubled at first with the cruelty of the plot, and had forsaken them if he had not been confirmed and encouraged by *Tesmond* the Jesuit to go with the rest. After these *Ambrose Rockwood* and *Robert Keyes* were made of the Councell, all taking the *Oath of secrecy*, and receiving the sacrament upon the same: And because the charge in buying powder, billets, and hiring of houses had been a burthen heavy for *Thomas Percy*, it was thought meet to bring in some mo; whereupon Sir *Edward Digby* and *Francis Tresham* were assumed.

All things being now as they judged made sure, they began to think what course was fittest to take after the deed was performed. The first doubt was made touching the Prince and surprise of his person; or if he should accompany his Father to

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The history of  
the Powder  
Treason.

The Jesuits  
approve of  
the enterprife.

The Conspir-  
ers swear  
secrecy.

A Cellar hired  
for the myne.

A deliberation  
for the Kings  
children.

the



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Contribution  
for the enter-  
prise.

Catholicks to  
be stopped  
from coming  
to the Parlia-  
ment.

No forain  
Princes to be  
acquainted  
therewith.

Intention to  
proclaim Lady  
Elizabeth  
Queen.

The Conspira-  
cy detected.

The Letter  
sent to the  
L<sup>d</sup> Mounteagle.

The secrecy of  
so many very  
strange.

the Parliament, how they might seise upon the Duke of *Yorke* his brother. But this *Piercy* undertook to doe by reason of his acquaintance in the house, into which he could enter without suspition, and how soon the blow was given carry him away by the help of such as he should have in a readinesse to assist. Of the Lady *Elizabeth* they made small question, for that she was kept in the Countrey by the Lady *Har-rington* near to *Ashby*, *Catesby's* dwelling house.

The next doubt they proponed, where they should have money and horses: and for this *Digby* made offer of fifteen hundred pounds *English*, *Tresham* two hundred, and *Piercy* promised to bring all he could gather of *Northumbreland* Rents, which he thought would extend to four thousand pounds, and to provide ten horses for his part. Neither doubted they but having the Heir apparent in their hands they should finde means sufficient.

A third question they made, what Lords they should save from going to the Parliament: which they agreed to be as many Catholicks as conveniently they might.

Fourthly, it was moved among them what forain Princes they should acquaint with the purpose, and whose aid they should seek. Concerning which it was agreed that none of them should be made privie to the plot; fearing they could not en-joyn secrecy to Princes, and for ayd after the deed performed there would be time enough to intreat the same either of *Spaine*, or *France*, or the Countrey of *Flan-ders*.

Lastly, because they saw no way to assure the Duke of *Yorke* his person, (for *Piercy* his undertaking they held unsure) they resolved to serve their turn with the Lady *Elizabeth*, and to proclaim her Queen: to which purpose they had a Proclamation formed, wherein no mention was made of altering Religion because they had no forces sufficient, and till they might make good their party, they would not avow the deed to be theirs, but lay it so farre as they could upon the Puritans.

Now there remained nothing, all dangers being foreseen, and every thing provided, but the last act of the intended tragedy to be performed, when as that which was so secretly hatched came to be discovered after a wonderfull manner: The Lord *Monteagle* son & heir to the Lord *Morley*, being in his lodging at seven of the clock at night, had a Letter given him by one of his footmen, who received the same upon the street from a person unknown, with a charge to put it in his Masters hand. The tenor whereof was as followeth:

My Lord,

Of the love I bear to some of your friends, I have a care of your preservation; therefore would I advise you as you tender your life to devise some excuse to shift off your attendance at this Parliament: for God and man have concurred to punish the wickedness of this time. Think not slightly of this advertisement, but retire your self into your Countrey, where you may expect the event in safety: for though there be no appearance of any stirre, yet I say, they shall receive a terrible blow in this Parliament, and shall not see who hurteth them. This counsell is not to be contemned, because it may doe you good, and can doe you no harm: for the danger is passed as soon as you have burnt the Letter; and I hope God will give you the grace to make good use of it, in whose holy protection I commit you.

It was some ten daies only before the Parliament that *Monteagle* received this Letter; and but twelve hours before the meeting of the Estates that the Plot was found out. Where it is a sort of wonder to think that so many being made privie to the conspiracy, the same should not have burst out one way or other in so long a time: For it was the eleventh of *December* 1604, when they began to work at the myne, and so the space of a year and more the conspiracy went concealed. Some advertisements were sent to the King and diverse of his Majesties Councell from beyond sea, That the Papists were preparing to present a Petition for toleration of Religion at the meeting of the Parliament, which should be so well backed as the King would be loath to refuse it. But these advertisements were contemned, and thought to be invented for putting the King in fear.

Yea,



Yea, and the Nobleman when he received the Letter, not knowing what construction to make of it, doubted much that it had been a device to scare him from attending the Parliament; notwithstanding out of his care of the Kings preservation he resolved to communicate the same with the Earl of *Salisbury* his Majesties principall Secretary; and going the same night to *Whitehall* delivered the Letter to him. The Secretary acquainting the Chamberlain, Admirall, and some others of the Councell therewith, and examining every line thereof, resolved to shew the same to the King at his return, (for he was then at hunting at *Royston*) and not to search further in the matter till they should hear what was his judgment.

The King returning to *London* the Thursday after, which was *Alhallowes* evening, the Letter was shewed him the next day in the afternoon, who having read the same once or twice, said, *That it was not to be contemned, and that the style seemed more quick and pithy then is used in libells, pasquills and the like.* The Secretary perceiving the King to apprehend the matter more deeply then he expected told him, "that the letter seemed to be written by a fool, or mad man, and pointing at the passage, *the danger is past as soon as you have burnt the letter*; said, that the warning was to little purpose if the burning of the letter might make the danger eschewed.

But the King willing him to consider the former sentence, wherein it was said that *they should receive a terrible blow at the Parliament, and not see who did hurt them,* and when he should joyn that with the other, he should finde it to be *suddain danger,* as by *blowing up by Powder,* that was thereby meant. Therefore willed all the rooms in the Parliament house to be searched both above and below, to prevent the danger if any there was.

This belonging to the Chamberlain his office, he was desired to make the search, and for staying the idle rumours to delay his going to Monday in the afternoon the day before the first Session of Parliament. At which time the Chamberlain taking with him the Lord *Mounteagle*, who was carefull to see what the warning given would prove, went and viewed all the rooms, where he perceived in the vault under the upper house great store of fagots, billets and coals, and asking the keeper of the guardrobe named *Whinyard*, to what use he had put those low Cellars (for they appertained to him) he answered, that *Thomas Percy* had hired the house and Cellar, and the billets and the coals were the Gentlemans provision for winter. The Chamberlain casting his eye aside, and espying a fellow in the corner of the vault, asked who he was, and received answer that he was *Percies* man who kept the house for his Master.

Thus having lookt upon all things in a careless manner as it appeared, he returned to the King, and made report of that he had seen: which encreased his Majesties first apprehension, and thereupon was order given for turning up those billets and coals even to the bottome; if nothing should be found, it was devised, that *Whinyard* should pretend the stealing of some of the Kings stuffe which he had in his keeping, and that made the colour of search. Sir *Thomas Knevet* Gentleman of his Majesties privie Chamber and Justice of Peace within *Westminster* being appointed for this business, went thither with some few in company about midnight, and finding a man standing without doors in his cloathes and boots, caused him to be apprehended. This was *Guido Faulks*, whose hand should have fired the train, and gave himself out for *Percies* man. Thereafter entring into the house he made the coals and billets to be turned up, under which they found 36 barrells of Powder more and less. Then turning to the fellow they had apprehended and questioning him touching the Powder, he did instantly confess, swearing, *That if he had been within the house when they took him, he should have blown them up with the house and all.*

Sir *Thomas* taking the man a long went immediately to the place, and shewed the Chamberlain and Secretary how he had sped; they making themselves ready and warning the Counsellors that lay within the Palace, went all together to his Majesties Bed chamber. The King awake, the Chamberlain not able to conceal his joy, cried aloud, that the *Treason* was discovered, and the traitor in hands. The command was given to command the Councell to examine the Prisoner touching his parta-



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kers, he nothing dejected nor moved a whit with so honorable a presence did boldly avow the fact, repenting onely that he had failed in the execution, and saying, *The devill envying the success of so good a work had discovered the same.* All that day nothing could be drawn from him touching his complices, taking all the blame upon himself, and professing he had done it for *Religion and Conscience sake.* Speaking of the King he denied him to be his *Sovereign, or anointed of God,* in regard he was an *heretick,* and that it was *no sin to cut him off.* This was his behaviour at first, but being conveyed to the Tower and the Rack presented, he laid open the whole matter of conspiracy, and confessed the truth. There were in the City at that time *Catesby, Percy, Tho: Winter, Francis Tresham,* and the younger *Wright,* who hearing that all was disclosed made away to the Countrey appointing to meet the next morning at *Dunchurch* in *Warwickshire* *Digbys* lodging. *John Graunt,* with some Recusants that he had associated to himself, had broke up the same night a stable of *Bourch* a Rider of great horses, and carried away seven or eight belonging to certain Noblemen of the Countrey: for he did think the conspiracy had taken effect, and was preparing to surprize the Lady *Elizabeth,* whose residence was not farre from the place. But within a few hours *Catesby, Percy,* and the others that were fled from *London* bringing assurance that all was failed, they resolved upon a publick rebellion, and pretending the quarrell of Religion laboured to draw some companies together, yet when they had gathered all their forces they did not exceed fourscore in all.

Sir *Fulk Grevill* Lieutenant deputy of *Warwickshire* hearing of the riot that *Grant* had committed, and apprehending it to be the beginning of a Rebellion sent to advertise the Towns about, and warned them to be on their guard. The Sheriffes of the County convening the people likewise in armes pursued them from shire to shire. Sir *Richard Walch* the Sheriffe of *Worcestershire* having tryed where they had taken harbour, sent a Trumpet and Messenger to command them to render unto him in his Majesties name, promising to intercede for their lives. But they hearing their fault to be unpardonable returned answer, that he had need of better assistants then the numbers that accompanied him before he could either command or compell them. The Sheriffe provoked by their arrogant answer prepared to assail the house. And they making defence it happened that a spark of fire falling among some powder, which they were drying, did kindle and blew up the same, wherewith their hands, faces and sides were sore scorched and burnt, as they lost courage, and opening the gate exposed themselves to the peoples fury. *Catesby, Percy,* and *Tho. Winter* joyning backs and resolving rather to dye then to be taken, the two first were killed with one shot, the other after some wounds made prisoner, the two *Wrights* were killed, *Rockwood, Grant, Digby,* and *Bates* were taken, *Tresham* had stayed at *London,* and changing his lodging thought to lurk till he should find occasion to escape by sea, but was in end found out. So were *Robert Winter* and one *Littleton,* and all of them committed to the Tower of *London.*

Being examined *Thomas Winter* ingenuously confessed all, setting down the particulars under his hand, and acknowledging the offence to be greater then could be forgotten. *Digby* excused the crime by the despair they were driven unto, having hopes given them at the Kings first coming to the Crown that the Catholicks should have the exercise of their Religion permitted, which being denied they had taken these wicked courses. *Tresham* in his confession named *Garnet* the Jesuit as privy to the conspiracy: but afterwards by his wives instigation did deny it, affirming that he had wronged him, and not seen him once these sixteen years. Yet *Garnet* being apprehended some moneths after confessed that they met divers times within the last half year. *Tresham* dyed in the prison, the rest were put to the triall of a Jury, and condemned; *Digby, Grant, Robert Winter,* and *Thomas Bates,* were executed at the western gate of *S. Pauls* in the end of *January;* *Thomas Winter, Ambrose Rockwood, Robert Keys* and *Guido Faulks* who had wrought at the myne, suffered in like sort in the Court near the Parliament house.

This was the end of that conspiracy, the like whereof in no mans memory hath been heard. We have heard of Kings treacherously killed, of practises against Estates and Common-wealths; but such a Monster of conspiracies (as *Thuan* calls it) no

Countrey



Country nor age did ever produce. The King, Queen, with their posterity, the Nobility, Clergy, Judges, Barons, Knights, Gentry and in a manner the whole kingdome to be in one moment all destroyed, was a wickedness beyond all expression, but blessed be God, this monster which was long in breeding, in the very birth was choaked and smothered.

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The King giving meeting of the Parliament the same day that the conspiracy was discovered, made a long speech to the Estates, wherein having aggravated the danger by many circumstances, and greatly magnified the mercies of God in the discovery, when he came to the triall and punishment, was observed to keep a marvelous temper in his discourse, wishing no innocent person either forain or domestick should receive blame or harm thereby: *For however said he, the blinde superstition of their errors in religion hath been the onely motive of this desperate attempt, it must not be thought that all who professe the Roman Religion are guilty of the same: for as it is true (I keep his Majesties own words) that no other sect of Heretick (not excepting Turke, Jew, or Pagan, nay not those of Calcut that adore the Devill) did ever maintain by the grounds of their religion, that it was lawfull and meritorious to murder Princes or people for the quarrell of religion; Yet it is as true on the other side, that many honest men blinded peradventure with some opinions of Popery, as if they be not found in questions of Reall presence, the number of the Sacraments, and some such school questions, do either not know, or not believe at least, all the true grounds of Popery, which is indeed the Mystery of iniquity, and therefore doe justly confesse that many Papists, especially our forefathers, laying their onely trust upon Christ and his merits, may be saved, detesting in that point and thinking that cruelty of Puritanes worthy of fire that will admit no salvation to any Papists. And so concluding that part of his discourse, said, As upon the one part many honest men seduced with some errors of Popery, may yet remain good and faithfull subjects, so upon the other part none of those that truly know and believe the whole grounds of Popery, can prove either good Christians or faithfull subjects.* The speech is to be seen amongst his Majesties works, and is worthy the reading for wise directions given in that business.

The news of this conspiracy were speedily advertised to the Councell of Scotland, and a command given for a publick thanksgiving in all the Churches for his Majesties deliverance, but the cause was left to every mans conjecture (albeit the advertisement did bear expressly, that *the contrivers were Papists, and their onely quarrell Religion*) This being told to the King, and that one of the Privy Counsellors had said, that *the conspiracy proceeded of a meer discontent the people had conceived at his Majesties Government*, he was mightily offended, and from that forth held his affection to his service continually suspected.

Information was made at the same time, that some of the Ministers imprisoned at Blackness did blame the Chancellor for their meeting at *Aberdene*, offering "that they had warrant from him to meet, and his promise that they should incur no danger for the same." The King to understand the truth thereof directed his servant Sir *William Irwyn* to inquire at the imprisoned Ministers, what dealing they had with the Chancellor in that business: their answer was, "That a little before their meeting at *Aberdene* Mr. *John Forbes*, and Mr. *John VVelsb* had sought his advice touching their convening, and that he asking them what they intended to do; they answered, that fearing the establishment of Bishops they were to do their best for withstanding the same. And that he to encourage them did promise all the assistance he could give that way: which they took to be an allowance of their meeting. A letter hereupon was directed to certain of the Councell to call the Ministers, and if they stood to their saying to hear what the Chancellor would answer. They maintaining that which they had said, and the Chancellor called to his Answer affirmed that he was intreated by them to oppose the restitution of Bishops temporalities, which then was in working, promising that he should not be questioned for his Religion, which they understood to be Popish. This denied by the Ministers they fell in a sharp contest; which continued some space with words not seemly on either part. The Ministers for clearing his approbation of their Assembly, did further alleadge that he had uttered so much to Mr. *VValier Balcanquell* and Mr. *James Balfour* Ministers at *Edinburgh*, who being examined touching their knowledge, Mr. *VValter*

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An. 1606. *Balcaneuell* did affirm, " That the Chancellor in private to himself had commended them for maintaining the liberty of the Church, which was not a little prejudiced as he said by the continuation of Assemblies from year to year. The same he was said to have spoken to Mr. *James Balfour*, but he excused himself by forgetfulness, saying he did not remember any such speeches. This report made to the King, he said, *That none of the two deserved credit, and that he saw the Ministers would betray Religion rather then submit themselves to government: And that the Chancellor would betray the King for the malice he carried to the Bishops.*

By this contest always the Chancellor was made more tractable in the restitution of Bishops temporalities, which he had strongly resisted unto that time; And in the Parliament kept at *Perth*, in the beginning of *July* shewed a great desire to promote the same. This Parliament had been indicted to keep at *Edinburgh* in *June* preceding, and the Earl of *Dunbar* imployed to see all matters carried therein to his Majesties minde. The Chancellor (whether out of emulation to shew his greatness, or that he feared some affront by the Earl of *Dunbar*) went on the streets accompanied with the Burgeses in great numbers, who otherwise then was their custome did walk with their swords. *Dunbar* taking this in ill part, yet dissembling his offence caused adjourn the Parliament to the first of *July*, and therewith presented a warrant for removing the same to the Town of *Perth*, which coming unlooked for, made the Burgeses forthink their doing.

At *Perth* it happened the very first day the Lord *Seaton* and *Alexander* his brother to encounter the Earl of *Glencarn* in the Bridgegate, where drawing their weapons against others a great tumult was raised, which continued a certain space and disturbed the Councell, that as then was sitting: the Lord *Seaton* being tryed to have invaded the other, which he did for revenge of his uncles slaughter, he was cited before the Councell for troubling the Parliament; but leaving the town he went home, and for his not appearing was denounced Rebell. It was held an ominous beginning, and gave many to think that matters would not succeed well, but the Earl of *Dunbar* did so wisely and with so great care prevent every thing that was like to breed trouble, as all things were carried from that time forth in a most peaceable sort.

There were attending in the town abundance of Ministers labouring all they could secretly to make some perturbation. The Earl calling them to his lodging did rebuke them sharply, saying, *That it seemed strange to him, that they who had so often petitioned to have the Act of annexation dissolved should go about to hinder the same, now when the King was to do it in part, specially considering there was nothing to be moved in prejudice of their discipline. And that for removing the differences that were amongst them in that point, his Majesty had resolved, as they knew by the letters some of them had received, to call the most learned and discreet of both sides before himself, and have matters composed so far as might be to their content. More fitting, he said, it were for you to whom his Majesty hath addressed his letters, to have been preparing your selves for the journey. And I should advise you for your own good, and the peace of the Church, not to write to the King any more, but rather study by your peaceable behaviour to procure favour to your brethren that are in trouble.* With these speeches he did quiet them; and so the Parliament went on, and after some few days ended in great peace.

In this Parliament divers good constitutions were made, but the two principall were the Acts of his Majesties *Prerogative*; and the Act entituled, *The restitution of the estate of Bishops*, which title giveth many to mistake the truth of things, and think that before this time the estate of Bishops was overthrown and cast down, whereas the same was never so much as intended. Only by this Act the temporalities of Bishopricks, which by the Act of *Annexation* were made to belong to the Crown, were restored in regard it was seen, that the Bishops were disabled to attend their service in the Church and State by the want thereof.

Soon after the Parliament dissolved such of the Clergy as his Majesty called to Court went together, of the one side went the Archbishops of *S. Andrews* and *Glasgow*, the Bishops of *Orkney*, *Galloway*, and Mr. *James Nicolson* who was destinate Bishop of *Dunkeld*, on the other part were Mr. *Andrew Melvill*, Mr. *James Mel-*



will, Mr. James Balfour, and Mr. William Watson, Mr. William Scot, Mr. John Carmichall, and Mr. Adam Colt. All these arriving at London about the beginning of Sept. had warning given them to attend the 20<sup>th</sup> of that moneth at Hampton Court.

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The King had appointed some of the Bishops of England to attend during the conference, and preach by course upon the subjects presented to them. Dr. Barlow Bishop of Lincoln began, taking for his text the 28 verse of the 20 chap. of the Acts, whereby he took occasion to prove out of the Scriptures and Fathers the supremacy of Bishops above Presbyters; and to shew the inconveniencies of parity in the Church; with the confusion arising from the same. Dr. Buckridge Bishop of Rochester took for his text the Precept of the Apostle, *Omnis anima &c.* Rom. 13.1. where falling to speak of the Kings supremacy in causes Ecclesiasticall, he did handle that point both soundly and learnedly to the satisfaction of all the hearers: only it grieved the Scots Ministers, to hear the Pope and Presbyterie so often equalled in their opposition to sovereign Princes. Dr. Andrews Bishop of Chichester followed, who choosed for his text the first verses of the 10 chapter of Numbers, confirming thirdly the power of Kings in Convocating Synods and Councils. The fourth was Dr. King Bishop of London, he took for his theme the 11 verse of the 8 chapter of Canticles, and thereupon discoursing of the Office of Presbyters did prove lay Elders to have no place nor office in the Church, and the late device to be without all warrant of Precept or example, either in Scripture or in Antiquity. This course his Majesty took as conceiving that some of the Ministers should be moved by force of reason to quit their opinions, and give place to the truth; but that seldom happeneth where the minde is prepossessed with prejudice either against person or matter.

The first audience was at Hampton the 22 of September; at which, besides the Bishops and Ministers from Scotland, were present the Earls of Dunbarre, Argile, Glencarne, Sir Thomas Hamilton Advocate, and Sir Alexander Straiton: Of the English Dr. Montague Dean of the Chappell was only admitted to stay: There the King declaring the purpose for which he had called them, spake a few words to this effect: That having left the Church of Scotland in peace at his parting forth of it, he did now hear of great disturbances in the same; whereof he desired to understand the true cause, and to have their advice, how the same might best be removed. This being, said he, the errand in generall for which I have called you, I should be glad to hear your opinions touching that meeting at Aberdene, where an handfull of Ministers in contempt of my authority, and against the discharge given them did assemble; and though they were neither a sufficient number, nor the accustomed order kept, they would take upon them to call it a generall Assembly, and have since proudly maintained it by declining my Councell and such other means as they pleased to use. The rather I would hear your minds, because I am informed that divers Ministers doe justifie that meeting, and in their publick preachings commend these brethren as persons distressed, which in effect is to proclaim me a tyrant and Persecutor.

Mr. James Melvill answering first, said, "that there was no such discharge given to those Ministers that met at Aberdene, as was alledged, adjuring, Sir Alexander Straiton who was said to have given the charge, to declare in his Majesties presence how that matter was carried. As to the absence of Moderator and Clerk, he said, that none of these were essentiall parts of an Assembly, and that the Moderator absenting himself of purpose and the Clerk refusing to serve, the brethren convened might lawfully create others in their places, so as the Ministers having warrant to convene from the word of God, and from his Majesties laws, as also coming thither by direction of their Presbyteries, he could not in his conscience condemne them.

Mr. James Melvill answered in name of the rest.

Well then, said the King, I shall desire you to answer me three things, that I will ask: First, if it be lawfull to pray publickly for persons convicted by the lawfull Iudge as persons being in distress, and afflicted? 2 Whether I may not being a Christian King, by my authority royall, convocate and prorogue, and desert for just and necessary causes known to my self any Assemblies or meetings within my Dominions? 3 Whether or not may I by my authority call, and convene before me and my Councell, whatsoever person, or persons,

His Majesty proponeth three questions to them.



An. 1606. *Civil, or Ecclesiastical, for whatsoever offences committed by them in whatsoever place within my Dominions, and if I may not take cognition of the offence, and give sentence therein? And further, whether or not are all my Subjects being cited to answer before me and my Councell, obliged to compear and acknowledge me or them for judges in these offences?*

A time is desired by them and granted.

The second audience.

The Bishops judgement of the meeting at *Aberdene*.

Mr. Andrew Melvill's answer touching the same.

Mr. James Balfour his answer.

Mr. Melvill his answer.

Mr. William Scot his answer interrupted by Mr. Andrew Melvill.

The Ministers called before the Scottish Councell.

Mr. James answering, said that the questions were weighty, and craved a great deliberation; wherefore he would humbly entreat his Majesty to grant them a time to conferre and advise together, that they might all give one direct answer. This desire granted, they were commanded to advise and meet together that night, and be ready to answer the next day. At this meeting the Earls of *Salisbury* and *Northampton* with divers of the *English* Clergy were present. The Ministers desiring to have the meeting more private, requested the Earl of *Dumbarre* to move the King therein, and that none but *Scotsmen* should be present; fearing (as they said) that some unseemly words might escape them. But this was denied, and they warned to speak with that respect which became subjects. It was believed that the King should have begun with the questions proponed in the former meeting, but his Majesty taking another course, required them to declare one by one, their judgements touching *Aberdene* Assembly. The Bishops (being first askt) did all condemn the meeting as turbulent, factious, and unlawfull.

Mr. Andrew Melvill then being enquired made answer, "That he could not condemn the Assembly, being a private man; that he came into *England* upon his Majesties letter, without any Commission from the Church of *Scotland*, and though he had Commission *in dicta causa*, and not hearing what they could say for themselves, he could not give his judgement; Sentence he said was given against them in a justice Court; how justly, he did remit that to the great Judge; but for himself he would say as our Saviour did in another case, *Quis me constituit judicem?*"

Mr. James Balfour being next asked, "Did pray his Majesty not to press him with any answer, for that he knew nothing would be well taken, that proceeded from his mouth, and that Mr. Andrew had answered his minde sufficiently."

Mr. James Melvill, without giving a direct answer, began to tell, "That since his coming to *London* he had received divers letters, and with them a Petition, that should have been presented to the late Parliament in behalf of the warded Ministers, which he was desired to offer unto his Majesty, and as he thought, the Petition would make all their mindes known."

The King taking the Petition and falling to read the same, willed the Advocate to goe on and receive the answer of the rest. And as the Advocate was questioning Mr. William Scot and urging him with a distinct answer (for he used many circumlocutions, according to the custome) Mr. Andrew Melvill in a great passion said, *That he followed the instructions of Mr. John Hamilton his uncle, who had poisoned the North with his Papistry, and that he was now become martyr of the Northampton* asking what he meant by that speech? the King said, he calleth him, the mickle Devil: and then foulding up the Petition, said, *I see you are all set for maintaining that base Conventicle of Aberdene? But what answers have you to give to the questions I moved?* "It was answered, that they had conferred together, and finding them to concern the whole Church, they would not by their particular voices prejudge the same. But you will not I trust, said the King, call my authority in question, and subject the determination of the same to your Assemblies. This they said was farre from their thoughts, but if his Majesty should be pleased to set down in writing what he required, they should labour to give him satisfaction."

Thus were they dismissed for that time, and being the next day called before the Scottish Councell (for after this they were no more admitted to his Majesties presence) they were enquired, whether they had in their publick prayers prayed for the warded Ministers, as persons afflicted, and sufferers for Gods cause? Some of them confessed that they had prayed for them, as persons in trouble, and distress: others, that they had commended them to God, but remembered not in what words.

The



The 20 of *October*, they were again brought before the *Scots Councell*, and had the three questions delivered to them in writing; which they were commanded to answer severally: mean while they were discharged to return into *Scotland* without his Majesties license, and prohibited to come towards the Queen and Princes Court. The Bishops and others of the Clergy that assisted them, were permitted to return.

The conference breaking up in this sort, & matters made worse rather then better, his Majesties pleasure concerning the warded Ministers, which to this time had been delayed, was signified by two severall letters to the Councell and Justice.

The letter to the Justice was as followeth; "Whereas in our Justice Court holden at *Linlithgow* the 10 of *January* last, Mr. *John Forbes* Minister of *Ansford*; Mr. *John Welch* Minister at *Aire*; Mr. *Robert Dury* Minister at *Anstruther*; Mr. *Andrew Duncan* Minister at *Crail*; Mr. *Alexander Straghan* Minister at *Crech*; and Mr. *John Sharp* Minister at *Kilmeny*, were convicted of the crime of Treason for their contemptuous and treasonable declining the judgement of us and the Lords our secret Councell; by a Declinatour subscribed with their hands and presented in judgement before the said Lords; and that the pronounciation of the doom was upon grave and weighty respects continued till our pleasure was declared; We now considering the great insolency committed by them, and how dangerous the example of such a fact may prove if it should goe unpunished, specially since we of our accustomed lenity have given to these declared Traitors more then sufficient time to have acknowledged their offence, and made sute for our pardon; and that yet nothing hath appeared in them but an obdured obstinacy, without any token of resipiscence: albeit the greatness of the offence in men of their function, whose actions should be patterns of duty and obedience to others, hath demerited most justly the extremity of punishment appointed by law: yet according to our wonted clemency, being willing to dispense with the rigour of law at this time, and not to inflict the punishment of death upon them; Our will and pleasure is that you affix a Justice Court at *Linlithgow*, or any other place our Councell shall appoint, the 23 of *October*, and then cause doom of punishment forth of our Dominions, during their naturall lives to be pronounced against the said Traitors: After which you shall return them to their ward's, there to remain for the space of a moneth, till they have made their preparations to depart; before the expiring whereof, if they doe not depart wind and weather serving, or being departed shall return unto our Dominions without our licence, the ordinary death usually inflicted upon Traitors, shall be executed upon them. And because this our clemency extended towards these above named may perhaps move others to think, that for trespasses of this quality no greater rigour will hereafter be used; to remove all such conceits, and that notice may be taken of our full determination in the like case; you shall in open Court make intimation to all our lieges, That if any hereafter shall offend in such an high trespass, they shall be punished with all severity and the death due unto Traitors be inflicted upon them with all rigour the example of this our present lenity notwithstanding: And that it is our will you cause to be recorded in your books of Adjournall, and publication made thereof at the Market Crofs of *Edinburgh*, and all other places needfull.

By the letter directed to the Councell, Mr. *Charles Farum* was ordained to be confined in the Isle of *Bute*; Mr. *John Monroe* in *Kintire*; Mr. *Robert Yongson* in the Isle of *Arran*; Mr. *James Irwin* in *Orkney*; Mr. *William Forbes* in *Yeteland*; Mr. *James Grey* in *Cathnes*; Mr. *Nathaniel Inglis* in *Southerland*; and Mr. *John Rosse* in *Lewis*.

The Justice as he was commanded, did keep his Court at *Linlithgow*, and pronounced the sentence and doom in the manner prescribed; Messengers were also directed to charge the other Ministers to enter into the parts appointed for their confining, and not to exceed the same without licence, under pain of death. After which a Proclamation was made inhibiting all Ministers to recommend either in their sermons, or prayers, the persons so sentenced.

And

An. 1606.

They are discharged to return into Scotland.

The Kings pleasure touching the warded Ministers.

The letter to the Justice prescribing the forme of the sentence.

A Letter from his Majesty to the Councell.

The sentence pronounced by the Justice.



An. 1606.

A Proclamation against Jesuits.

Mr. Andrew Melvill committed to the Tower.

The Observation of the Writer.

An Assembly indicted at Linlithgow.

His Majesties letter to the Assembly.

An overture sent from his Majesty to the Assembly.

And lest the *Jesuits, Seminary Priests*, and others of their faction should presume of any oversight to be given to them because of these proceedings against the seditious Ministers, they were in like sort commanded by Proclamation to depart forth of the Realme, and all the subjects inhibited to resset or entertain them, under the pain of his Majesties displeasure.

Mr. *Andrew Melvill* that would not be idle, and was still speaking against the Orders of the *English Church*, having dispersed some bitter and scornfull verses against the Rites used in his Majesties Chappell, which was brought to the King by one of the Chaplains, was called before the Councell of *England*, and charged with the injuring of the State and Church: where in stead of acknowledging his offence, he behaved himself insolently; and more like a mad man, then Divine; for which he was committed in the Tower of *London*. There he remained three years and more, and afterwards upon the Duke of *Bulloign* his request, was sent to *Sedan*, where he lived in no great respect, and contracting the Gout lay almost bedfast to his death.

Whilest I am writing this, there cometh to my mind the hard and uncharitable dealing that he and his faction used towards *Patrick* sometimes Archbishop of *Scotland*, who not content to have persecuted that worthy man in his life, made him a long time after his death the subject of their sermons; interpreting the miseries whereunto he was brought, to be the judgement of God inflicted upon him for withstanding their courses of discipline. If now one should take the like liberty, and say, That God to whom the Bishop at his dying did commend his cause, had taken a revenge of him, who was the chief instrument of his trouble; it might be as probably spoken, and with some more likelyhood then that which they blasted forth against the dead Bishop. But away with such rash and bold conceits, the love of God either to causes or persons is not to be measured by these externall and outward accidents.

But leaving this, the King being very desirous to have the Church quieted, and a solid and constant Order established for preventing the like offences, did call a generall Assembly to meet at *Linlithgow* the 10 of *December*; and for the better ordering of business, directed the Earl of *Dunbarre* to attend the meeting. At the day many convened both Ministers and others. Of Ministers there were reckoned one hundred thirty six: of Noblemen, Barons, and others, thirty and three. Mr. *James Nicolson* elected to preside; the Earl of *Dunbarre* presented a letter from his Majesty to this effect; "That it was not unknown what pains he had taken whilest he lived amongst them, as well to root out Popery as to settle a good and perfect Order in the Church; and that notwithstanding of his care bestowed that way, he had been continually vexed by the jealousies of some perverse Ministers, who traducing his best actions gave out amongst the people, that all he went about, was to thrall the liberty of the Gospell. Neither content thus to have wronged him, they had in his absence factiously banded themselves against such of their brethren as had given their concurrence to the furtherance of his Majesties just intentions, upon the knowledge whereof he did lately call the most calme and moderate, as he esteemed, of both sides unto his Court, thinking to have pacified matters and removed the divisions arisen in the Church; but matters not succeeding as he wished, he had taken purpose to convene them for setting down such rules as he hoped should prevent the like troubles in after times, which he had intrusted to his Commissioner the Earl of *Dunbarre*: willing them to consider what was most fitting for the peace of the Church, and to apply themselves to the obedience of his directions as they did expect his favour.

After the reading of the letter the overture was presented, conceived in this forme. "That his Majesty apprehending the greatest causes of the misgovernment of Church affairs to be, that the same are often, and almost ordinarily committed to such as for lack of wisdom and experience are no way able to keep things in a good frame; for remedying this inconvenient, thinketh meet, that presently there be nominated in every Presbyterie one of the most grave,



“grave, godly, and of greatest authority, and experience, to have the care of the  
 “Presbyterie where he remaineth, till the present jarres and fire of dissension  
 “which is among the Ministry, and daily encreaseth to the hinderance of the  
 “Gospell, be quenched and taken away; and the Noblemen professing Papistry  
 “within the Kingdome be either reduced to the profession of the truth, or then  
 “repressed by justice and a due execution of the lawes; and for encourage-  
 “ment of the said Moderators, and the enabling them to the attendance of the  
 “Church affairs, his Majesty is graciously pleased to allow every of them one  
 “hundred pounds *Scots* or two hundred marks according to the quality of their  
 “Charge: but where the Bishops are resident, his Majesty will have them to mo-  
 “derate and preside in these meetings. As likewise because it often falleth out  
 “that matters cannot be decided in Presbyteries, by reason of the difficulties  
 “that arise, and that the Custome is to remit the decision thereof to the Synod of  
 “the Diocie; It is his Majesties advice that the moderation of these Assemblies be  
 “committed to the Bishops, who shall be burthened with the delation of Papists,  
 “and solicitation of justice against those that will not be brought to obedience, in  
 “respect his Majesty hath bestowed on them places and means to bear out the  
 “charges and burthens of difficill and dangerous actions, which other Ministers  
 “cannot so well sustain, and undergoc.

An. 1606.

This overture seeming to import a great alteration in the discipline was not well accepted of divers; but his Majesties Commissioner having declared that it was so farre from the Kings purpose to make any change in the present Discipline, as he did not long for any thing more then to have it rightly settled and all these cyclists removed which had given him so just occasion of discontent; they desired a time to deliberate, and that a number of the most wise and learned might be selected to conferre thereupon, and report their opinions to the Assembly.

Some brechren deputed undergoc to consider the overture.

The brethren named in this conference, having debated every point at length, and considered the inconveniencies that might arise by the change, especially the usurpation that was feared, these constant Moderators should make upon their brethren, resolved that the overture proponed was not to be refused; so as certain cautions were added which were condescended to in manner following.

The overture embraced with some cautions.

First, That the Moderators of Presbyteries and Provinciall Assemblies should not presume to doe any thing of themselves without the advice and consent of their brethren.

Cautions for the constant Moderators.

- 2 That they should use no further jurisdiction nor power then Moderators have been in use of, by the constitutions of the Church.
- 3 If it should happen the Moderatours to be absent at any time from these meetings, it should be in the power of Synods and Presbyteries to nominate another for moderating in their abience.
- 4 When the place of a Moderatour in any Presbyterie should be void, the election of one to succeed should be made by the whole Synod with consent of his Majesties Commissioner.
- 5 If any of the Moderatours should depart this life betwixt Assemblies, it should be lawfull to the Presbyteries to nominate one of the most grave and worthy of their number for the place, unto the meeting of the next Synod.
- 6 That the Moderatours of the Presbyteries should be subject to the tryall and censure of the Synod; and in case they usurped any further power over the brethren, then is given them by the Assembly; the same should be a cause of deprivation from their Office of Moderation, and they deprived thereof by the said Synods.
- 7 In like manner the Moderatour of the Provinciall Assembly should be tried and censured by the generall Assembly, and in case he was found remiss, or to have usurped any further power then the simple place of

of



An. 1606.

- of a Moderatour he should be deprived therefore by the generall Assembly.
- 8 That the Moderatours of every Presbyterie and Synod with their Scribes should be astricted to be present at the generall Assembly, and be reputed members thereof, by bringing with them the Registers of the Acts and proceedings in their meetings to be seen, that so their diligence and fidelity in their Charges might be known.
  - 9 That it should be lawfull to each Presbytery to send two or three Commissioners to the generall Assembly, by and besides the Moderatour and Scribe, if they should think it convenient.
  - 10 That the Moderatour of the generall Assembly should be chosen by the voices of the whole Assembly, lites being first made and proponed, as in times passed.
  - 11 That in the Synods where there is not a Bishop actually resident, the like lite should be made of the Moderatours of the Presbyteries within these bounds, and one of them elected to moderate the same Assembly, so as his Majesties Commissioners give their advice thereunto.
- And lastly, That the Rolls of Moderatours in every Presbyterie should be examined, to see if there was any other of the number fit to use the said office, and that they whom this present Assembly should nominate, to accept the said Moderation upon them without making any shift or excuse.

The cautions  
and overture  
approved.

These cautions being read in the full Assembly were approved of all, and the overture thereafter put to voices was allowed, and the same enacted as a conclusion of the whole Assembly, four only of the whole number disassenting; other four refusing to vote because they had no commission, as they pretended, from their Presbyteries, and two answering, *Non liquet*. This conclusion taken, the rolls of Presbyteries were called, and none found more sufficient then they who did presently moderate these meetings; whereupon an Ordinance was made, that they should continue in their Charges, and not be altered unlesse the Synod did make another choice.

A complaint  
of the Papists  
and their insolencie.

This business ended, a great complaint was made of the insolency of Papists, chiefly in the North parts, and of the superstitions used at the burialls of the Lord Ogilvy, and Laird of Gight, who had deceased a few moneths before. The Marquis of Huntley being also returned lately from Court, had given out that he brought a Warrant from his Majesty to stay all Ecclesiasticall proceedings against him, his Lady and family: by which reports those of the Romane profession were not a little encouraged, and were become open contemners of the Censures of the Church.

Petition from  
the Assembly  
to his Majesty.

These complaints being greatly taken to heart by the whole Assembly, it was concluded that a Petition should be preferred to his Majesty in all their names, for confining the Marquis of Huntley, the Earls of Angus and Arroll, with their Ladies, in some Cities and Towns where they might by the hearing of the Word, and conference with learned men be reduced from their errors, at least kept from doing harm, and from the perverting of others. To present this Petition and the Act of constant Moderators, choice was made of Mr. James Law Bishop of Orkney, and he dispatched to Court; which done, the Assembly brake up and dissolved with the good satisfaction of all.

His Majesties  
answer.

Nor was it long before the Kings answer returned in these particulars, and first concerning the Marquis of Huntley, his Majesty declared, " That he had obtained  
" no Warrant for impeding the Church discipline, neither against himself, or any  
" of his family; and that only (because he affirmed that he had kept all the injunctions prescribed, except that he had not communicated) the Councell was de-  
" fired after triall of his obedience in the rest of the particulars enjoyned, to com-  
" mand the Presbyteries of the North to stay their proceedings against him for his  
" not communicating, concerning which point he had certified the Marquis, that  
" howsoever some space was granted to him for his better resolution, if he did per-  
" sist in his errors, and would not be reclaimed, he would make no other reckoning  
" of him then of one that studied to make himself the head of a faction, and rather

root



“ root him out, then nourish him in his follies by a preposterous toleration.

As to the *confining* of him, and the other Noblemen in the Cities and places set down in the Assemblies Petition, “ his Majesty did think it too rigorous, unlesse “ they were tried to have committed some offence deserving the same. Wherefore “ he would have them called before the Councell, the Bishop of the Diocie, Moderator of the Presbytery, and the Minister of the Parish being present, and enquired concerning their behaviour, and whether they did resort or not ordinarily to Sermon; wherein if they should be tried to have transgressed, his pleasure “ was they should be confined within so many miles compasse, as are distant betwixt the houses of their residence, and the City, wherein it was desired they “ should be confined to the end they may repair to their houses, when the necessity “ of their business requireth, and at other times resort to the City or Town designed for their instruction, where they should be tied to stay ten daies together, “ and during their stay hear Sermons, admit conference, and forbear the company “ of Jesuits, Seminary Priests and others of that profession. And if it should “ happen them to have any business in Councell or Session, that license should be “ granted unto them for repairing thither during a certain a certain space, providing “ they did resort to the Church, and gave no scandall by their behaviour.

An. 1607.

His Majesties pleasure touching the Popish Noblemen.

For the *superstitious rites* used at the buriall of the Lord *Ogilvy* and *Gight*, “ his “ Majesties pleasure was, that their sons should be called before the Councell and “ committed, but no sentence should be given till the whole circumstances were “ tried and notified to him.

As touching the conclusion taken for the *constant Moderators*, “ his Majesty did “ thank them for their travels; but whereas they were of opinion that the Act “ should be universally received, (*for so much the Assembly had written*) he said, that “ he knew them too well to expect any such thing at their hands. Their conscientious zeal to maintain parity, and a desire to keep all things in a continuall constant volubility, he said was such as they would never agree to a settled form of “ government. Besides, he knew that divers of these who were nominated to the “ places of Moderation, would refuse to accept the same, lest they should be “ thought to affect superiority above their brethren: That therefore he would have “ the Councell to look to that business, and direct Charges as well for those that “ were nominated to accept the moderation, as to the Ministers of every Presbytery to acknowledge them that were nominated.

Direction to the Councell for constant Moderators.

The event justified his Majesties opinion, for all the next year there was no matter that troubled the Councell as that of the constant Moderator. The Synod of *Perth* convening in *March* thereafter, did in direct opposition of the Act concluded at *Linlithgow* inhibit all the Presbyteries within their bounds to acknowledge the conclusion taken in that meeting, and discharged Mr. *Alexander Lindesay* Parson of *Simmedose*, who was nominated by the Assembly Moderator of *Perth*, to exercise the said office under pain of the Censure of the Church. The Synod being cited before the Councell for this presumption, was discharged to meet thereafter, and the Presbyteries within the bounds commanded under pain of Rebellion to accept their Moderators.

An. 1607.  
The Synod of Perth discharged.

In *Fife* the resistance was no lesse; for the Synod being continued twice, first from *April* to *June*, then from *June* to *September*, meeting at that time in *Dysert*, and pressed by the Lords, *Lindesay Scone*, and *Halirudhouse*, Commissioners from the Councell, to accept the Archbishop of *S. Andrews* for their Moderator, did obstinately refuse, and dissolved without doing any thing; hereupon was that Synod likewise discharged, and all the Burghs inhibited to receive them, if perhaps they should reassemble after the Commissioners were gone. The Presbyteries of *Mers* were also very troublesome, and the Councell so vexed with complaints of that kinde, as not a day passed without some one or other. But all this opposition proved vain, and they in end forced to obey, did finde by experience this settled course much better then their circular elections.

The Synod of Fife discharged.

A Commission came in this mean time for planting some learned and worthy person in the place of Mr. *Andrew Melvill* at *S. Andrews*. The Commission was directed

A Provest placed in the new Colledge of *S. Andrews*.



An. 1607.

directed to the Archbishop of Saint *Andrews*, the Bishops of *Dunkeld*, *Rosse*, and *Birchen*, the Lord *Balmerinloch*, the Advocate, the Laird of *Balcomy*, and Commissar of *S. Andrews*; who meeting in the new Colledge the 16 of *June*, after the reading of his Majesties Letter (whereby it was declared, That the said Mr. *Andrew* being judged by the Councel of *England* to have trespassed in the highest sort against his Majesty, and for the same committed to the Tower till he should receive his just punishment, was no more to return to that charge) they according to the power given them, did proceed and make choice of Mr. *Robert Homy* to be Provost of the said Colledge, ordaining him to be invested in the said office with all the immunities and priviledges accustomed, which was accordingly performed in the *July* thereafter, and he entred to his Charge the 27 of that moneth.

The Ministers  
permitted to  
return from  
*London*.

It remained that some course should be taken with the Ministers that were stay-  
ed at *London*, as it was once purposed, were to be provided with some Livings in  
*England*; but that Church not liking to entertain such guests, they were all per-  
mitted to return home upon their promise to live obedient and peaceable. M. *James  
Melvill* was only retained, who lived a while confined at *Newcastle*, was after some  
months licensed to come to *Berwick*, where he deceased. A man of good learning,  
sober and modest, but so addicted to the courses of Mr. *Andrew Melvill* his Uncle,  
as by following him he lost the Kings favour, which once he enjoyed in a good mea-  
sure, and so made himself, and his labours unprofitable to the Church.

*Alexander*  
Lord *Spynie*  
killed,

Now let us see what happened in the Kingdome during this time: The King  
was ever seriously commending to the Councell the removing of the barbarous  
fewds wherewith he had been so greatly troubled, divers whereof by their travells  
were this year agreed, yet new occasions daily arising they were kept in a continu-  
all busines. *David Lindesay* younger of *Edyell* seeking to revenge the slaughter of  
his Uncle Mr. *Walter Lindesay* whom *David Master* of *Crawford* had killed, as he lay  
in wait of the said *Master* (who was then by the decease of his Father succeeded in the  
Earldome) through a pitifull mistake did invade *Alexander Lord Spynie*, and killed  
him in stead of the other. The Noblemans death was much regrated for the many  
good parts he had, and the hopes his friends conceived that he should have raised  
again that noble and antient house of *Crawford* to the former splendor and dignity,  
all which perished with him: he that was in place and escaped the perill being a  
base unworthy prodigall, and the undoer of all, that by the virtue of his Ancestors  
had been long kept together.

Trouble be-  
twixt the Earl  
of *Morton* and  
Lord *Maxwell*.

Another busines no lesse troublesome did also then happen betwixt the Earl of  
*Morton* and the Lord *Maxwell* for holding of Courts in *Esdale*, unto which both  
did pretend right. The preparation on both sides was great, and like to have caused  
much unquietness, if the same had not been carefully prevented; both parties be-  
ing charged by the Councell to dissolve their forces, and not to come towards the  
bounds: the Earl of *Morton* obeyed, *Maxwell* contemning the charge went on, and  
by a cartell did appeal *Morton* to the combate: whereupon he was committed in  
the Castle of *Edinburgh*, and after some two moneths stay made an escape. No  
sooner found he himself at liberty, then he fell a plotting the Laird of *Johnstons*  
murther, which he wrought in a most treacherous manner; he pretending to use his  
friendship in obtaining his Majesties pardon, employed Sir *Robert Maxwell* of  
*Orchardtowne*, whose Sister *Johnston* had married, to draw on a meeting betwixt  
them, as he did; at a little hill called *Achmanhill* they did bring each of them one  
servant only as was agreed, the said Sir *Robert* being present as a friend to both. At  
meeting after they had courteously saluted one another, and conferred a little space  
very friendly, the two servants going aside, the one called *Charles Maxwell* a Bro-  
ther of *Kirkhouse*, the other *William Johnston* of *Lockerby*, *Charles* falleth in quar-  
relling, the other shooteth a pistoll at him, the Laird of *Johnston* making to part  
them, the Lord *Maxwell* shooteth him in the back with two bullets; whereupon he  
falleth, and for a while keeping off the Lord *Maxwell* who made to strike him with  
his sword, expired in the place; it was the 6<sup>th</sup> of *April* in the year 1608, that this  
happened. The fact was detested by all honest men, and the Gentlemans misfor-  
tune forelamented, for he was a man full of wisdom and courage, and every way  
well

*Maxwell* com-  
mitted maketh  
an escape.

The Laird of  
*Johnston* most  
treacherously  
killed by *Max-  
well*.

An. 1608.



well inclined, and to have been by his too much confidence in this sort treacherously cut off, was a thing most pitifull. *Maxwell* ashamed of that he had done, forsook the Countrey, and had his estate forfeited; some years after stealing quietly into the Kingdome he was apprehended in the Countrey of *Cathnes*, and beheaded at *Edinburgh* the 21 of *May*, 1613.

An. 1608.

The purpose of *civilizing the Isles* was this year again renewed, and a long Treaty kept with the Marquis of *Huntley* thereupon, but he breaking off by reason of the small duty he did offer for the North Isles, the Earl of *Argile* was made Lieutenant thereof for the space of six moneths, in which time it was hoped that some good should be wrought, and the people reduced to good manners; yet nothing was done to any purpose, the great men of those parts studying only the increase of their own grandeur, and striving whose command should be greatest.

The Earl of *Argile* made Lieutenant of the Isles.

In the Parliament of *England* that held in *November* preceding, the matter of *union* received many crossings, and of all the *Articles* condescended among the Commissioners, only that was enacted which concerneth the abolishing of hostile laws. The King grieved at this exceedingly, and conceiving that the work should more easily be effected, if a beginning was made in *Scotland*; did call a Parliament in *August*, which was kept by *Lodowick Duke of Lennox*, as Commissioner for his Majesty, the Earl of *Montrose* being then deceased. The Estates to satisfy the Kings desire did allow all the *Articles* concluded in the Treaty, with a provision, *That the same should be in like manner ratified by the Parliament of England, otherwise the conclusions taken should not have the strength of a law.* It was also declared, *that if the union should happen to take effect, the Kingdome notwithstanding should remain an absolute and free Monarchy, and the fundamentall laws receive no alteration.* But the Parliament of *England* either disliking the union, as fearing some prejudice by it to their Estate, or upon some other hidden cause, did touch no more the business, and so that good work tending to the advantage of both Kingdomes was left and quite deserted.

A Parliament in *Scotland* for the union.

Provisions for the union.

In the Church a new trouble was moved by the revolt that *Huntley* and the two Earls of *Angus* and *Arroll* made; divers especially in the North parts falling away by their example. This being represented to the King, he gave order for calling an Assembly, which convened at *Linlithgow* in the end of *July*. Therein the Earls of *Dunbar*, *Winton*, and *Lothian* sate Commissioners for the King. The Bishop of *Orkney* elected to preside, having shewed the occasion of the present meeting to be the growth and increase of Papists in all the quarters of the Kingdome, it was thought meet to take up the names of those that made open profession of Popery, and likewise of those that were suspected to favour the course, that their number and forces being known the remedies might be the better advised and provided.

An Assembly in *Linlithgow* for restraining Papists.

The number was found to very great, chiefly in the North, and the Marquis of *Huntley* delated by all as the only cause of the defection in those bounds: he being cited to appear before the Assembly under the pain of excommunication, and neither compeiring nor sending any excuse, was ordained to be excommunicated, and the sentence accordingly pronounced in the hearing of the whole Assembly. This was appointed to be intimated in all the Churches, and no absolution given upon whatsoever offers in regard of his manifold apostasies without the advice of the general Church: The like course was concluded to be kept with *Angus*, *Arroll*, and the Lord *Semple*, how soon the processes intended against them were brought to an end.

The Marquis of *Huntley* excommunicated.

This done, the Assembly began to rip up the causes of the defection more narrowly, which they found to proceed from the Ministers in a part, their negligence in teaching, and catechising of people, the too suddain admission of young men into the Ministry, and the distraction of mindes among those that are admitted; for remedy whereof it was ordained as followeth:

The causes of the defection partly in the Church.

First, that they should apply themselves to the exercise of their function with greater diligence then they were accustomed, and take a speciall care of young children to see them instructed in the Belief, the Lords prayer, and ten Commandments,

The remedies of the same.



*An. 1608.* dements, whereof they should examine every childe at the age of six years, and yearly enquire of their profiting and increase in knowledge.

2 That some longer time should be prescribed for the admission of men to the Ministry, and the exceptions contained in the Act of the age of Ministers to be admitted reserved to the cognition of the Generall Assembly.

3 That they use a greater diligence in the processing of Papists, and that none out of corrupt favour should grant them any oversight under the pain of deposition.

4 That all who carried office in the Church, should be carefull to eschew offences, and endeavour to keep love and peace among themselves.

5 And for the present distractions in the Church, seeing the same did arise partly from a diversity of opinions touching the externall government of the Church, and partly from divided affections, the last of these two being the most dangerous, as not suffering the brethren to unite themselves against the common enemy; they were all in the fear of God exhorted to lay down whatsoever grudge or rancour they had conceived, and to be reconciled in heart and affection one to another: Which all that were present did faithfully promise by the holding up their hands.

The cause of  
the defection  
proceeding  
from others.

But the fault not being in the Ministers alone, and seen to proceed from other causes also; as from the oversight of Jesuits and Priests, and their entertainment in the Countrey; the preferment of men to publick offices that were suspected in Religion; the favour shewed to Papists by them in places of chief authority; Masse Priests admitted without his Majesties warrant, and no security taken for their not returning; Licences granted to Noblemens sons for going abroad, and their education trusted to men of contrary profession; advocacy to the Councell of matters properly belonging to the Ecclesiasticall Judicatories; and the lack of Preachers in many parts of the land; It was concluded that certain Petitions should be formed and presented to his Majesty by some selected Commissioners for remedying these evils, which were formed in this manner:

Supplication  
to his Majesty  
for redresse of  
these evils.

First, that an humble supplication should be made by the whole Assembly, intreating his Majesty not to permit any Papist, or suspected of Popery to bear charge in Councell, Session, or in any Burgh or City, and where his Majesty did know any such to occupie these places, humbly to crave that order might be taken for their removing.

2 That the laws made against Papists should receive execution and no favour be granted unto them by the Officers of State, with a prohibition to the Councell to meddle in affairs Ecclesiasticall, or to discharge the proceses led by Ministers against Papists and others contemners of Church discipline.

Petitions to  
his Majesty  
for repressing  
Popery.

3 That Papists abjuring their Religion in hope of preferment to Offices of State, should not be admitted thereto till they had given five years probation at least.

4 That the sons of Noblemen professing Popery should be committed to the custody of such of their friends as are sound in Religion.

5 That a Commission should be granted to every Bishop within his Dioces, and to such well affected Noblemen, Barons and Gentlemen, as the Commissioners of the Assembly should nominate, for apprehending of Jesuits, Seminary Priests, excommunicated Papists, and traffiquers against Religion.

6 That the Searchers of ships should seise upon all Books that are brought unto the Countrey, and present them to the Ministers of the Town where the ships shall happen to arrive.

7 That excommunicate Papists be put in close prison, and none have access unto them but such as are known to be of sound Religion.

8 That the Deputies of excommunicates be not suffered to enjoy any office under them, and that some others be appointed by his Majesty to serve in their places.

9 Finally, that his Majesty should be humbly intreated to plant the unprovided



ded Churches, especially the Churches of the Chappell Royall, with competent Stipends. An. 1608.

The Commissioners chosen to present these Petitions were, the Archbishop of Glasgow, the Earl of Wigton, the Lord Kilsith, Mr. William Couper Minister at Perth, and James Nisbit Burgeses of Edinburgh, together with the Petitions they received a Letter from the Assembly conceived in these terms :

**H**AVING convened in this Generall Assembly by your Majesties favourable licence and permission, and shadowed under your Majesties wings with the presence of your Majesties Commissioners, we did set our selves principally to consider the cause of the late growth of Papists among us, and found by an universall complaint, the chief cause to be this, that where the Church in these parts was accustomed to be nourished by your Majesties fatherly affection as the most kinde parent of piety and Religion, we have been left in the hands of unkinde stepfathers, who esteeming us an uncomth birth to them have intreated us hardly, and cherished our adversaries by all means they could, as your Majesties highness will perceive more clearly by the overtures for remedy, which in all humble submission we present to your Majesty by these honourable Commissioners and brethren, humbly intreating your Majesty to take compassion upon us, your Majesties loving children in this land, that we may be taken out of the hands of these who are more ready to deliver the heads of the Kings sons to Jehu, if the time were answerable to their wishes, then to nourish and bring them up to perfection.

There is no cause, Sir, why the Apostates who have lately grown up in this land should be feared, whatever they be in estate or number; for with them are the golden Calves, which God will destroy; with them is Dagon, whose second fall shall be worse then the first; but with your Majesty is the Lord your God to fight for you, and under your standard are the best of the Nobility, the greatest number of Barons, and all your Majesties Burgeses, unspotted in Religion, and resolute all of them for Gods honour, and your Majesties preservation to spend their goods and lives and whatever is due to them: VVe also your Majesties humble servants the Bishops and Ministers of the Gospel in this land, now reconciled to others with a most hearty affection, by your Majesties only means and the carefull labours of your Majesties trusty Counsellor, and our very good Lord the Earl of Dunbar, are for our parts most ready to all service in our callings to stirre up your Majesties subjects by the word that God hath put in our mouths, to the performing of that obedience which God and nature doth oblige them unto, and by Gods grace shall go before them in all good ensample. These things we leave to be delivered by our Commissioners, whom we beseech your Majesty to hear graciously, and after some favourable consideration of our case, and present suits, to give such answer as in your Highness wisdom shall be thought fittest. And now with our humble thanks to your Majesty for the liberty granted to meet in this Assembly, and our most hearty prayers to God Almighty for your Highness long life and prosperous reign, we rest.

This Letter was subscribed by the Earls of Crawford, Glencarne and Kinghorne, the Lords Lindeisay, Baclugh, Salton, Lowdon, Torphichen, Blantire, Scone, Halirudhouse, and a great number of the Clergy and Barons.

The Chancellor hearing of the Assemblies proceedings, and supposing himself to be specially aimed at in all that business (wherein he was not mistaken) moved the Secretary to take journey to Court, for obviating these courses so farre as he might. But he at his coming did meet with a business that concerned himself more nearly, for about the same time Cardinall Bellarmine had published an Answer to the Kings Apology, and therein charged him with inconstancy, objecting a Letter that he had sent to Clement the eighth whilst he lived in Scotland, in which he had recommended to his Holiness the Bishop of Vaison for obtaining the dignity of a Cardinall, that so he might be the more able to advance his affairs in the Court of Rome. The Treatise coming to the Kings hands, and he falling upon that passage did presently conceive that he had been abused by his Secretary, w<sup>ch</sup> he remembered had moved on a time for such a letter, and thereupon began to think that among the letters sent to the

The Secretarys journey to Court.



An. 1608.

He is charged  
for writing a  
letter to the  
Pope, and steal-  
ing his Ma-  
jesties band  
thereto.

Dukes of *Savoy* and *Florence*, at the time another might have been shuffled in to the Pope, and his hand surreptitiously got thereunto.

The King lay then at *Royston*, and the Secretary coming thither, he inquired if any such letter had been sent to the Pope at any time. The Secretary apprehending no danger, and thinking that his policy in procuring the Popes favour to the King should not be ill interpreted confessed, "that such a letter he had written by his Majesties own knowledge. But perceiving the King to wax angry he fell on his knees and intreated mercy, "seeing that which he had done was out of a good minde, and desire to purchase the Popes favour, which might at the time have advanced his title to *England*.

The King then putting him in minde of the challenge made by the late Queen in the year 1599, for writing the same letter, and how being at that time questioned thereupon, he had not onely denyed his own knowledge thereof, but likewise moved Sir *Edward Drummond*, who carried the letter to the Pope to come into *Scotland* and abjure the same; he answered, "That he did not think the matter would be brought again in hearing, and that fearing his Majesties offence, he had denyed the letter, and had moved his Cousin Sir *Edward* to do the like; but now that he saw, that which he had done in the politick course turned to the Kings reproach, with many tears he besought his Majesty to pardon his fault, and not to undo him who was own creature, and willing to suffer what he thought meet for repairing the offence. The King replying that the fault was greater then he apprehended, and that it could not be so easily passed, enjoined him to go to *London*, and keep his chamber till he returned thither.

The Secretary  
charged with  
the fault before  
the Councell.

After some eight days the King returned to *White Hall*, where the Secretary was brought before the Councell, and charged with the fault; which the Lords did aggravate in such manner, as they made the same to be the ground of all the conspiracies devised against the King since his coming into *England*, especially of the *Powder Treason*. For the Papists, said they, finding themselves disappointed of the hopes which that letter did give them, had taken the desperate course which they followed, to the endangering of his Majesties person, posterity, and whole estates.

His answer to  
the Lords of  
the Councell.

The Secretary having heard their discourses, kneeled to the ground, and fetching a deep sigh, spake to this effect. *Cura leves loquuntur, ingentes stupent*, "My Lords, I cannot speak nor finde words to expresse the grief I have conceived for the offence committed by me against my gracious Sovereign; for on the one side, when I call to minde his Majesties favors bestowed upon me, having raised me out of the dust, to a fortune, (farre exceeding my merit) and on the other side, I look to my foul fault in abusing his Majesties trust, bringing thereby such an imputation upon his innocency as will hardly be taken away, but with the forlorn childe to say, *Pecavi in caelum & terram*: my offence is great, I confess, nor am I worthy to be reckoned any longer among his Majesties subjects, or servants; his Majesties rare piety, singular wisdom, and unspotted sincerity in all his actions, whereof I had so long experience, might have taught me, that when he refused to have any dealing with the Pope, the event of the course I took, could not be good; but I unhappy man would needs follow the way which to me seemed best, and whereof I finde now the smart. If no other thing can liberate his Majesty of this imputation, caused by my folly, let neither my life, nor estate, nor credit be spared, but as I have all by his Majesties favour, so let all go even to the last drop of my blood before any reproach for my offence be brought upon his Majesty.

Then rising up he said, "It shall not be necessary to remit my tryall to *Scotland*, which I hear your Honours do intend, for I do simply submit my self to his Majesties will, and had much rather not live then lye any longer under his Majesties displeasure. Therefore my humble suit to your honours is, that in consideration of my miserable estate, and ignominious confession you would be pleased to move his Majesty for accepting me in will, and that without delay whatsoever may be done for reparation of his honour, may be performed, whereunto most willingly I submit my self.



The Chancellor Sir *Thomas Egerton* without taking any notice of these last words declared, that his Majesties pleasure was to remit the tryall of his offence to the Judges in *Scotland*, and that he should be conveyed thither as a Prisoner, the Sheriffs attending him from shire to shire, till he was delivered in *Scotland*; in the mean time he did pronounce him deprived of all places, honours dignities, and every thing else that he possessed in *England*.

Whether or not, I should mention the arraignment and execution of *George Sprot* notary in *Eymouth*, who suffered at *Edinburgh* in the *August* preceding, I am doubtfull, his confession though voluntary, and constant, carrying small probability. This man had deponed, "that he knew *Robert Logan* of *Restalrig*, who was dead "two years before, to have been privy to *Gowries* conspiracy, and that he understood so much by a letter that fell in his hand written by *Restalrig* to *Gowry*, bearing "that he would take part with him in the revenge of his fathers death, and that his "best course should be to bring the King by sea to *Fascastle*, where he might be "safely kept, till advertisement came from those with whom the Earl kept intelligence. It seemed a very fiction and to be a meer invention of the mans own brain; for neither did he shew the letter, nor could any wise man think, that *Gowry*, who went about that treason so secretly, would have communicated the matter with such a man, as this *Restalrig* was known to be: as ever it was, the man remained constant in his confession, and at his dying when he was to be cast off the ladder (for he was hanged in the publick street of *Edinburgh*) promised to give the beholders a sign for confirming them in the truth of what he had spoken, which also he performed by clapping his hands three severall times, after he was cast off by the executioner.

To return to the Commissioners of the Assembly, they had presence of the King in *Hampton Court* the 10 of *September*, where the Archbishop of *Glasgow* having declared the occasion of their coming, did present the Assemblies letter together with their Petitions; The King having read both the one and other said, *That the difference between the lawfull and unlawfull meetings might be perceived by the fruits arising from both, for as that unlawful conventicle at Aberdene had caused a schisme in the Church, and given the enemies of Religion a great advantage, so in this Assembly they had not onely joyned in love among themselves, wick is the main point of religion, but also had taken a solid course for the repressing of Popery, and superstition: that he did allow all their Petitions, and would give order for a Convention which should ratifie the conclusions of the Assembly, assuring them, that the Church keeping that course, should never lack his Patrocinie and Protection.*

Letters were immediately directed to publish his Majesties acceptation of the Assemblies proceedings, and the Councell joyned to commit the Marquess of *Huntley* in the Castle of *Striveling*, the Earl of *Angus* in the Castle of *Edinburgh*, and the Earl of *Arroll* in *Dumbrinton*. A convention was likewise indicted at *Edinburgh* the sixth of *December*, which was afterward prorogued to the 27 of *January*; The Archbishop of *Glasgow* was in the mean time sent home to inform the Councell concerning *Balmerinoch* his business, and how these matters had been carried in *England*.

This report made, the Chancellor, who had been much ruled by the Secretary, was greatly afraid, as suspecting the next assault should have been made upon him self. But the King who knew his disposition, and expected that the Chancellor would carry himself more advisedly, especially in the matters of the Church, the Secretary being gone, did haist the Earl of *Dunbar* home with a warrant to receive the Chancellor in the number of the Counsellors of *England*, and therewith appointed him Commissioner with *Dunbar* in the Convention of Estates; all which was done to make it seem, that his credit was no way diminished with his Majesty.

In this convention divers Acts were made in favours of the Church, "As "first that Noblemen sending their sons forth of the Countrey should direct them "to places where the reformed Religion was professed, at least where the same was "not restrained by the Inquisition, and that the Pedagogues sent to attend them,

An. 1608.

Chancellor  
Egerton,  
pronounceth  
sentence a-  
gainst him.  
Sprot his exe-  
cution.

The Commis-  
sioners of the  
Assembly have  
audience.  
His Majesties  
answer.

A convention  
at *Edinburgh*.

An. 1609.

The Chan-  
cellor admit-  
ted Counsel-  
lor of *England*.

Acts made for  
Religion.



An. 1609.

“ should be chosen by the Bishop of the Dioces, wherein if they should happen to transgress, the Nobleman being an Earl should incur the pain of four thousand pounds; if he was a Lord, five thousand Marks; and if a Baron, three thousand Marks.

“ And if their sons should happen to decline from the true Religion, that their Parents should withdraw all entertainment from them, and finde surety to that effect.

“ That the Bishop of the Dioces should give up to the Treasurer, Controller, Collector and their deputies, the names of all persons excommunicated for Religion, to the end they might be known; and that no confirmations, resignations, nor infestments should be granted to any contained in that Roll.

“ That the Director of the Chancery should give forth no briefes, directories, precepts of returns, nor precept upon comprisement, till they produced the Bishops Testificate of their absolution, and obedience; and that it should be lawfull to Superiours, and Lords of Regalities to refuse the entry of all such to their lands by precepts of *Clarè constat*, or any other way.

“ Lastly, that persons excommunicated for not conforming themselves to the Religion presently professed, should neither in their own names, nor covertly in name of any other enjoy their lands, or rents, but that the same should be introduced with and uplifted to his Majesties use.

Acts made  
againit ravish-  
ing of women.

These were the Acts concluded touching Religion; for the punishment of rapes, which was grown as then too common, his Majesty by a speciall letter did recommend to the Estates some overtures for restraining such violences. “ As if any widow, woman or maid should be forced, and abused against her will, the crime should be capital, and not purged by the subsequent consent of the woman.

“ In like manner if any woman should be taken away, albeit no further injury was done, and she relieved, either by her friends or by the Magistrate, or by what so ever means, the onely violence intended should be punished by death in regard the party had indeavourd to do his worst.

“ And for those that did intice any woman to go away without their parents or tutors consent, that they should be secluded from any part of the goods or lands belonging to the woman so inticed. Some other Acts for the publick good of the kingdome were passed at the same time, neither was it remembered that in any one convention so much good of a long time was done as in this.

The Secreta-  
ries tryall at  
S. Andrews.

In the beginning of *February* the Secretary was brought to *Edinburgh* and delivered to the Magistrates, who received him at the neither port, and conveyed him as a Prisoner to the lodging that was appointed. A great gazing there was of people, which troubled him not a little, as he shewed by his countenance. The next day he was delivered to the Lord *Scone*, who with a guard of horse did convey him to the prison of *Falkland*; there he remained to the 10 of *March*, and was at that time taken to *S. Andrews* to abide his triall: with the Justice there sate as Assessors the Earls of *Dunbar*, *Montross* and *Lothian*, the Lord Privy seal and Clerk Register.

His indictment

His indictment was to this effect, “ That in the year 1598 by the instigation of his Cousin Sir *Edward Drummond* a professed Papist he had stoln and surreptitiously purchased his Majesties hand to a letter written by the said Sir *Edward*, and directed to Pope *Clement* the eighth in favour of the Bishop of *Faison* for the said Bishops preferment to the dignity of a Cardinall. And that notwithstanding the many denials the King gave him in that busines he had treasonably conspired with the said Sir *Edward* to deceive and abuse his Majesty, shuffling in a letter among others that were to be signed, and filling it up after it was signed, with the styles and titles usually given to the Pope, and sealed the letter with his Majesties signet, the keeping whereof was intrusted to him by virtue of his office, and in so doing had most undutifully and treasonably behaved himself, to the indangering of his Majesties Honour, Life, Crown, and Estate, and to the subversion of true Religion, and the whole professors thereof.

Upon the reading of the indictment he was enquired if he would use any friends or advocates to speak in his defence, as the order of the Court did allow him: his answer was, *That he stood never in so great need of a Prolocutor, the matter concerning*



concerning his life, estate and all that he possessed in this world; yet he had choosed to keep silence, and not employ either friends or advocates, the offence he had committed being such as could admit no defence; for howsoever he conceived that the keeping of intelligence with the Pope, might advance his Majesties succession to the Crown of England, yet knowing as he did his Majesties resolution never to use any crooked course, but to rest upon Gods providence and his own right, it did not become him to have medled in a matter of that importance. Therefore did he intreat all gentlemen and others that were present to bear witness of his confession, and the true remorse he had for the offence committed, which he esteemed so great, as neither his lands, nor life, nay not twenty thousand lives such as his could repair: onely two things he asked liberty to protest; one was that he never intended to work an alteration of Religion, or a toleration of the contrary, the thing he had done being a meer worldly course, whereby he judged some good might have been wrought at the time. Next he protested that neither the love of gain, nor hope of commodity had led him on, that having never received nor expected benefit from any Prince living (his Master the King onely excepted) but an opinion he foolishly conceived that he might that way promote his Masters right. In end he said, that he would not make the Judges any more business, that he had confessed the truth, and as he wished God to be mercifull to his soul in that great day, his Majesty was most falsely and wrongfully charged with the writing of that letter to the Pope, and that he never could move him to consent thereto.

An. 1609.

The Secretary  
his speech and  
answer to the  
indictment.

His protesta-  
tion of two  
things.

The Jury was then called, and the persons following sworn in face of Court, David Earl of Crawford, George Earl Marshall, John Earl Wigton, Patrick Earl of Kingborne, John Earl of Tillibarden, Alban L. Cathcart, John L. Salton, David L. Scone, Alexander L. Garlies, William Master of Tillibarden, Sir James Douglas of Drumlanrick, Sir Robert Gordon of Lochinvar, Sir William Levingston of Kilsith, Sir John Houston of the Ilke, and Sir Patrick Home of Polwart. These going apart returned after a short space into the Court, and by the mouth of the Earl of Marshall pronounced "James Lord Balmerinoch guilty of treasonable, surreptitious, fraudulent, and false stealing of his Majesties hand to the letter specified in the indictment, without his Majesties knowledge and contrary to his will declared. As also of the treasonable affixing of his Majesties signet to the said letter; and of assisting known and professed Papists in their treasonable courses to the danger of Religion, the overthrow of the true professors thereof, and drawing of his Majesties life, estate and right of succession to the Crown of England, in most extreme perill; besides the bringing of most false and scandalous imputations upon his Majesty as well in Religion as honour; and of art and part of the whole treasonable crimes contained in the said indictment.

The Jury  
sworn.

The King being advertised of his conviction (for he had commanded before any doom should be pronounced) by a warrant directed to the Justice he was brought again to Edinburgh, and in a Justice Court kept the first of Aprill, decerned to be taken to the place of execution, and there to have his head cut off, his lands, heritages, Lordships, Baronies, taks, steadings, rooms, possessions, offices, benefices, cornes, cattell &c. forfeited and escheated to his Majesties use, as being convicted of the foresaid treasonable crimes. His life upon the Queens intercession was spared, and he returned to his prison in Falkland, where he abode some moneths, being thereafter licensed to go unto his house in Balmerinoch, he dyed as was thought of grief and sorrow. A man of abilities sufficient for the places he enjoyed in Session and Councell; but one that made small conscience of his doings, and measured all things according to the gain he made by them: The possessions he acquired of the Church kept him still an enemy unto it, for he feared a restitution should be made of those livings, if ever the Clergy did attain unto credit. Not long before he fell in his trouble the King had employed him to deal with the Lords of Session, among whom he carried a great sway, for restoring the Ecclesiasticall Jurisdiction to the Bishops; but he taking ways that he thought should not have been perceived, to disappoint the errand, drew upon himself the Kings displeasure, and fared nothing the better because of his miscarriage in that business, when this occasion was offered. It is not for those that serve Princes, and are trusted by them in the greatest affairs,

The doom  
pronounced  
against Balme-  
rinoch.



An. 1609.

A Parliament  
at Edinburgh.

to deal deceitfully with their Masters, for seldome have any taken that course and have not in the end found the smart thereof.

A Parliament was this year kept at *Edinburgh* the 24 of *June*, the Earl *Marshall* being Commissioner for the King, wherein the Acts concluded in the preceding convention were ratified, the jurisdiction of Commissaries restored to the Church, the Justices of peace commanded to be settled in every shire, and a Statute made for the *Apparell of Judges, Magistrates, and Churchmen*, which were all remitted to his Majesties appointment. Patterns accordingly were sent from *London* not long after for the apparell of the Lords of Sessions, the Justice, other inferiour Judges, for Advocates, Lawyers, Commissars and all that lived by practise of law, and command given to every one whom the Statutes concerned, to provide themselves of the habits prescribed within a certain space under the pain of Rebellion. Such was the Kings care to have those who were in publick charge held in due respect, and dignosced whither soever they came.

An. 1610.

An Assembly  
at Glasgow.

The King by his Letters was now daily urging the Bishops to take upon them the administration of all Church affairs; and they unwilling to make any change without the knowledge and approbation of the Ministers, an assembly to this effect was appointed to hold at *Glasgow* the 6 of *June*. The Earl of *Dunbar*, Sir *John Preston* President of the Session, and Sir *Alexander Hay* Secretary (which two had succeeded to *Balmerinock* his places being Commissioners for the King) the Archbishop of *Glasgow* was elected to preside. There a Proposition was made by the Commissioners of certain points of Discipline, which his Majesty craved to be determined, *That all things might be done thereafter orderly in the Church, and with that consent and harmony which was fitting among preachers*. Some three daies being spent in reasoning, at last the conclusions following were enacted.

1 The Assembly did acknowledge the indiction of all such generall Assemblies of the Church to belong to his Majesty by the prerogative of his Crown, and all convocations in that kind without his licence to be meerly unlawfull, condemning the conventicle of *Aberdene* made in the year 1605, as having no warrant from his Majesty and contrary to the prohibition he had given

2 That Synods should be kept in every Dioces twice in the year, *viz.* in *Aprill*, and *October*, and be moderated by the Archbishop or Bishop of the Dioces, or where the Dioceses are so large, as all the Ministers cannot conveniently assemble at one place, that there be one or moe had, and in the Bishops absence, the place of Moderation supplied by the most worthy Minister having charge in the bounds, such as the Archbishop or Bishop shall appoint.

3 That no sentence of excommunication, or absolution from the same be pronounced against or in favour of any person, without the knowledge and approbation of the Bishop of the Dioces, who must be answerable unto God and his Majesty, for the formall and unpartiall proceeding thereof. And the process being found formall, that the sentence be pronounced at the Bishops direction by the Minister of the Parish where the offender hath his dwelling, and the process did first begin.

4 That all presentations in time coming be directed to the Archbishop or Bishop of the Dioces, within which the Benefice that is void lieth with power, to the Archbishop or Bishop to dispoise or conferre the Benefices that are void within the Dioces after the lapse, *jure devoluto*.

5 That in the deposition of Ministers upon any occasion the Bishop do associate to himself some of the Ministers within the bounds where the delinquent serveth, and after just triall of the fact, and merit of it pronounce the sentence of deprivation. The like order to be observed in the suspension of Ministers from the exercise of their function.

6 That every Minister at his admission swear obedience to his Majesty and to his Ordinary according to the form agreed upon *Anno* 1571.

7 The visitations of the Dioces be made by the Bishop himself, and if the bounds be



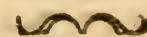
be greater then he can well undertake, by such a worthy man of the Ministerie within the Diocese as he shall choose to visit in his place. And whatsoever Minister without just cause or lawfull excuse shall absent himself from the visitation or Diocesan assembly, be suspended from his Office and Benefice; and if he doe not amend, deprived.

8 That the convention of Ministers for exercise be moderated by the Bishop being present, and in his absence by any Minister that he shall nominate in his Synod.

9 And last it was ordained, that no Minister should speak against any of the foresaid conclusions in publick, nor dispute the question of equality or inequality of Ministry, as tending only to the intertainment of Schisme in the Church, and violation of the peace thereof.

These conclusions taken it was complained in behalf of the Moderators of Presbyteries, who had served since the yeare 1606. *That notwithstanding of their promise made at their accepting of the Charge, they had received no payment at all of the stipend allowed:* Which the Earl of *Dunbarre* excused by his absence forth of the Countrey, affirming, *That unto that time there was never any motion made thereof to him, and that before the dissolving of that Assembly he should cause satisfaction to be given to them for the time past;* declaring withall, *That seeing order was taken for the moderation of Presbyteries in time coming, his Majesties Thesaurer should not be any further burthened with that payment.* The Ministers therein remitting themselves to his Majesties good pleasure gave his Lordship thanks for that he had offered; which he did also see performed, som five thousand pounds *Scots* being distributed by the Thesaurers servants among those that had borne the charge; certain of the discontented sort did interpret it to be a sort of corruption, giving out, *That this was done for obtaining the Ministers voices;* Howbeit the debt was known to be just, and that no motion was made of that business before the foresaid conclusions were enacted.

An. 1610.



The Moderators paid of the stipend promised.

In the Assembly a Supplication was presented in the names of the Marquiss of *Huntly* and the two Earls of *Angus* and *Arroll* for their absolution, and a Commission given to that effect, upon their satisfaction, they subscribing the confession of faith and swearing to continue in the profession of the Religion presently established. The Marquiss of *Huntly* was at that time confined in *Striveling*, and to him were the Archbishop of *Glasgow*, the Bishops of *Cathnes* and *Orkney* directed. They found him not unwilling to subscribe the confession of Faith and make satisfaction for his Apostasie, but in regard of his many relapses did not judge it fitting to absolve him; wherefore they gave order that he should conferre with Mr. *Patrick Sympfon* the Minister of the Town, a learned and moderate man, that so he might subscribe with knowledge and resolution not to fall back. In the *December* following, having professed himself resolute in all points, he was liberated from his confinement at *Striveling*, and licensed to goe home to *Strathbogy*.

A supplication in name of the Popish Lords.

*Huntly* freed of his confining.

With the Earl of *Arroll* the difficulty was greater; for when in a publick meeting of the Councell within the Castle of *Edinburgh*, he had professed his conformity in every point of Religion and made offer to subscribe, the very night after he fell in such a trouble of minde, as he went near to have killed himself. Early in the morning the Archbishop of *Glasgow* being called, he confessed his disinclination with many tears, and beseeching them that were present to bear witness of his remorse, was hardly brought to any settling all that day. The Nobleman was of a tender heart, and of all that I have known the most conscientious in his profession, and thereupon to his dying was used by the Church with greater lenity then were others of that sect.

The Earl of *Arroll* troubled for his simulation.

The Earl of *Angus* who lived confined at *Glasgow* took another course, and upon license obtained from his Majesty, went to *France*, where he might enjoy the exercise of his Religion with liberty, and dyed at *Paris* in a voluntary banishment some years after.

The Earl of *Angus* goeth to *Paris*.

Shortly



An. 1609.

The Arch-  
bishop of Glas-  
gow called to  
Court.

The business  
proponed by  
his Majesty.

The Archbi-  
shop his an-  
swer.

The consecra-  
tion question-  
ed.

The High  
Commission-  
ers appoint-  
ed.

Directions for  
the High  
Commission-  
ers and other  
matters Eccle-  
siasticall.

Shortly after the Assembly dissolved, the Archbishop of *Glasgow* was called to Court, and commanded to bring with him two others such as he thought fit. The Archbishop taking with him the Bishops of *Brichen* and *Galloway* came to Court in the midst of *September*. At their first audience the King declared what the business was for which he had called them, speaking to this purpose, *That he had to his great charge recovered the Bishopricks forth of the hands of those that possessed them, and bestowed the same upon such as he hoped should prove worthy of their places; but since he could not make them Bishops, nor could they assume that honour to themselves, and that in Scotland there was not a sufficient number to enter charge by consecration, he had called them to England, that being consecrated themselves they might at their return give Ordination to those at home, and so the adversaries mouths be stopped, who said that he did take upon him to create Bishops, and bestow spirituall offices, which he never did nor would he presume to doe, acknowledging that authority to belong to Christ alone, and those he had authorized with his power.*

The Archbishop answering in the name of the rest, "That they were willing to obey his Majesties desire, and only feared that the Church of *Scotland*, because of old usurpations, might take this for a sort of subjection to the Church of *England*. The King said, *That he had provided sufficiently against that, for neither should the Archbishop of Canterbury, nor York, who were the only pretenders, have hand in the business, but Consecration should be used by the Bishops of London, Ely, and Bathe.* The *Scots* Bishops thanking his Majesty for the care he had of their Church, and professing their willingness to obey what he would command, the 21 of *October* was appointed to be the time, and the Chappell of *London* house the place of Consecration.

A question in the mean time was moved by Dr. *Andrewes* Bishop of *Ely* touching the consecration of the *Scottish* Bishops, who, as he said, "must first be ordained Presbyters, as having received no Ordination from a Bishop. The Archbishop of *Canterbury* Dr. *Bancroft* who was by, maintained "That thereof there was no necessity, seeing where Bishops could not be had, the Ordination given by the Presbyters must be esteemed lawfull; otherwise that it might be doubted, if there were any lawfull vocation in most of the reformed Churches. This applauded to by the other Bishops, *Ely* acquiesced, and at the day, and in the place appointed the three *Scottish* Bishops were consecrated.

At the same time did the King institute a *High Commission* in *Scotland* for the ordering of *Causes Ecclesiasticall*, and therewith sent to the Clergy the directions following.

- 1 That every particular matter should not be brought at first before the high Commission, nor any thing moved unto it except the same was appealed unto, or complained by one of the Bishops, as a thing that could not be rectified in their Dioces; or then some enorme offence in the triall whereof the Bishops should be found too remiss.
- 2 That every Archbishop and Bishop should make his residence at the Cathedrall Church of his Dioces, and labour so farre as they could and were able to repaire the same.
- 3 That all Archbishops and Bishops be carefull in visitation of their Dioces, and every third year at least, take inspection of the Ministers, Readers, and others serving cure within their bounds.
- 4 That every Archbishop visit his Province every seven years at least.
- 5 Whereas there be in sundry Dioces some Churches belonging to other Bishops, that care be taken to exchange the Churches one with another that all the Dioces may lie contigue, if possibly the same may be performed. As likewise in regard some Dioces are too large, and others have a small number of Churches, scarce deserving the title of a Dioces; that a course be taken for enlarging the same in a reasonable proportion, by uniting the neerest Churches of the greater Dioces thereto.
- 6 That the convention of Ministers for the exercise of Doctrine exceed not the



the number of ten or twelve at most, & over them a Moderator placed by the ordinary of the Dioces where the said Conventions are licensed, with power to call before them all scandalous persons within that Precinct, and censure and correct offenders according to the Canons of the Church: yet are not these Moderators to proceed in any case either to excommunication, or suspension, without the allowance of the Ordinary. And if it shall be tryed that these Ministers doe use up any further power then is permitted, or carry themselves unquietly either in teaching or otherwise, at these meetings, in that case the Bishop shall discharge the meeting, and censure the offenders according to the quality of their fault.

An 1601.

Directions for  
matters Eccle-  
siasticall.

- 7 Considering that laick Elders have neither warrant in the Word, nor example of the Primitive Church, and that notwithstanding it is expedient that some be appointed to assist the Minister in repairing the fabrick of the Church, providing elements to the holy Communion, and collecting the contributions for the poor, with other necessary services, the Minister is to make choice of the most wise and discreet persons in the Parish to that effect, and present their names to the Ordinary that his approbation may be had thereto.
- 8 That the Ministers of the Parish be authorized to call before them and his associates so allowed, all publick and notorious offenders, and enjoin the satisfaction according to the Canons of the Church; or if they be obstinate and contumacious, declare their names to the Bishop, that order may be taken with them.
- 9 That no Minister be admitted without an exact triall preceding, and imposition of hands used in their Ordination by the Bishop and two or three Ministers whom he shall call to assist the action; and to the end an uniform order may be kept in the admission of Ministers, that a form thereof may be imprinted and precisely followed of every Bishop.
- 10 That the election of Bishops shall in time coming be made according to the conference Anno 1571. and whilest the Bishoprick remaineth void, the Deane of the Chapter be *Vicarius in omnibus ad Episcopatum pertinentibus*, and have the custody of the Living and Rents, till the same be of new provided.
- 11 That the Deane of every Chapter convene thereof once at least in the year, and take order that nothing pass except they be *Capitulariter congregati*; and that a Register be made of every thing done by the Archbishop or Bishop in the administration of the Rents and safely in the Chapter house.
- 12 That when it shall be thought expedient to call a generall Assembly, a supplication be put up to his Majesty for license to convene, and that the said Assembly consist of Bishops, Deans, Archdeacons and such of the Ministry as shall be selected by the rest.
- 13 And because there hath been a generall abuse in that Church, that youths having passed their course in Philosophy before they have attained to the years of discretion, or received lawful Ordination by imposition of hands, do engyre themselves to preach; that a strict order be taken for restraining all such persons, and none permitted but those that received Orders to preach ordinarily and in publick.

These directions being exhibited to the Bishops and some principalls of the Clergy convened with them at *Edinburgh* in *February* next, were approved of all; and at the same time was the *High Commission* published, to the great discontent of those that ruled the estate; for that they took it to be a restraint of their authority in matters ecclesiasticall, nor did they like to see Clergy men invested with such authority.

The Clergy  
doth approve  
the directions.

The King no less carefull to have all things ordered rightly in the Estate, did prescribe the number, attendants, and manner of proceeding which the Councell should keep in their meetings. As " that the number should not exceed thirty  
" and

Orders for the  
Councell.



Ann. 1611.

“and seaven at least be present in every meeting: that at their admission they should take the Oath of allegiance and swear fidelity and secrecy in matters to be communicated unto them. That they should convene twice in the week; once every *Tuesday* for matters of State, and once on the *Thursday* for actions. That none should be permitted to stay within the Councell house, but the Lords and Clerks of the Councell, nor any solicitations be made within the house, but that all should take their places at their coming in, and none stand on foot, unless they be to answer for themselves, and in that case to rise and stand at the head of the table. That four dayes absence of any Counsellor in the time of sitting without license from the rest, should inferre the loss of their place. That if any of the number were denounced Rebell, or did not at least once in the year communicate, they should be likewise excluded. That wheresoever they remained or happened to come, if they should be informed of any trouble like to arise betwixt parties, they should charge them to keep the peace, and if they refused, they should command them to enter in Ward, the disobedience whereof should be punished as if the whole Councell were disobeyed. Lastly, to keep their persons and places in the greater respect, they were commanded in the streets either to ride with foot clothes or in coaches, but not be seen walking on foot.

Ann. 1611.

A Proclamation  
against  
bearing of  
quarrell.

With these directions a command was given to inhibit by Proclamation any persons “to bear quarrell to another, with intention of private revenge, requiring those that should happen to be in any sort injured to complain to the ordinary Judge, within the space of forty days after the injury committed, and insist for justice; wherein if they should fail, and yet be perceived to carry a grudge towards him by whom they were injured, they should be called before the Councell, and if they refused to reconcile, be punished as despisers of the royall authority, and violators of the publick peace.

The troubles  
of *Orkney*.

The Earl of  
*Orkney* committed  
and his  
Acts of Court  
discharged.

In the Isles of *Orkney* and *Tetland* at this time were great oppressions by the Earl thereof, for which he was committed in the Castle of *Edinburgh*, and the Bishop of *Orkney* imployed by the Councell to examine the particular complaints. This Nobleman having undone his estate by riot and prodigality did seek by unlawfull shifts to repair the same, making Acts in his Courts and exacting penalties for the breach thereof, as if any man was tried to have concealed any thing that might inferre a pecuniary mulct, and bring profit to the Earl, his lands and goods were declared confiscated; or if any person did sue for justice before any other Judge, then his deputies his goods were escheated, or if they went forth of the Isle without his license, or his deputies, upon whatsoever occasion, they should forfeit their moveables; and, which of all his acts was most inhumane, he had ordained that if any man was tried to supply or give relief unto ships or any vessels distressed by tempest, the same should be punished in his person, and fined at the Earl his pleasure. These Acts produced by the Complainers, and confessed by the Earl himself, were by the Councell decerned unlawfull, and the execution thereof in all times thereafter prohibited.

The *Clangegore*  
to be rooted  
out.

The *Clangegore* a barbarous and theevish race of people, that could by no means be repressed nor reclaimed from their robberies, were at the same time ordained to be rooted forth, and the service committed to the Earl of *Argile*; who made some beginning, and presented certain of the principalls to justice; but the neglect of their children, and their exhibition as was appointed, made them in after times no less troublesome to the Countrey then before.

The death of  
the Earl of  
*Dunbarre*.

In the end of the year the Earl of *Dunbarre* departed this life at *Whitehall*, a man of deep wit, few words, and in his Majesties service no less faithfull then fortunate; The most difficile affaires he compassed without any noise, and never returned when he was employed, without the work performed that he was sent to doe. His death made a great change in our Estate. Sir *Robert Ker* a son of *Farnherst*, who had served the King long in the quality of a Page, and was then grown powerfull in Court, carrying all things by his credit. At first the Thesaurers Office which was in the person of *Dunbar*, whilest he lived, was trusted to certain

Some set his  
thing.

Commissio-



Cómissioners, but after a little space the same was bestowed upon the said Sir Robert, and he preferred to be Earl of *Somerset*. The guard that Sir William Cranston a Gentleman of great worth did command, and wherewith he had performed divers notable services in the Borders, was taken from him, and given to Sir Robert Ker of *Ancrum* *Somersets* cousin. Sir Gedeon Murray his Uncle by the Mother made Deputy in the Office of Thesaury; and Sir Thomas Hamilton his Majesties Advocate who had married his sister, placed first in the office of Register, and afterwards made Secretary, all which was ascribed to *Somerset* his credit. Yet these things were not ill taken, the last excepted, for Sir William Cranston being content to resigne his place, the King in remembrance of his good service did preferre him to be a Lord of Parliament: Sir Gedeon his abilities for the services he was trusted with, were known to all; and for the Advocate, his sufficiency was undoubted, only the manner of his coming to be Register was not so well interpreted. Sir John Skeen had enjoyed the place a good many years, and being grown in age and infirme, thinking to get his son provided to his office, had sent him to Court with a dimission of the place, but with a charge not to use it, unless he found the King willing to admit him; yet he abused by some politick wits, made a resignation of the Office, accepting an ordinary place among the Lords of Session. The office upon his resignation was presently disposed to the Advocate: which grieved the Father beyond all measure. And the case indeed was pitifull, and much regrated by all honest men, for he had been a man much employed and honoured with divers legations, which he discharged with good credit, and now in age to be circumvented in this sort, by the simplicity or folly of his son, twas held lamentable. The King being informed of the abuse by the old mans complaint, was very carefull to satisfie him, and to have the son reconciled to his father, which after some travell was brought to passe: yet so exceeding was the old mans discontent, as within a few daies he deceased. The office of Register was shortly after enterchanged with the Secretary Sir Alexander Hay, and he made keeper of the Rolls, the Lord Binning Secretary, and Sir William Oliphant received to be his Majesties Advocate.

An. 1611.

Advocate made  
first Clerk Register, afterwards Secretary.

Sir John Skeen  
dyeth of grief.

In the beginning of the next year there happened diverse unhappy quarrels betwixt the Scots and English at Court, which was like to have produced very bad effects: and nothing worse taken then the slaughter of an English Fencer, by the Lord Sanghar's instigation, who for an injury alledged, did hire one called Carleill to kill the Fencer: this fact committed in the City of London, and so near to the Kings Court, caused such a heart-burning among the people, as it was not farre from breaking forth into a generall commotion. But his Majesty preventing the danger, made Sanghar to be arrested, and brought to his triall, where being convicted he was hanged publickly at the Palace-gate of *westminster*. This act of justice gave the English a great content, nor was the death of the Nobleman much regrated by his own Countrey people, for he had lived all his time dissolutely and falling in familiarity with a base Curtesan at Paris, had by her a son, to whom he entailed his lands, intending to defraud the heir. But the King taking the matter into his own cognition, did by compromise adjudge the succession to the just inheritance, appointing a little portion to the base son, who in a short time made away the same prodigally.

An. 1612.

The Lord  
Sanghar executed in England.

Not long before his Majesty being informed of a course kept by the Church in excommunicating persons that were fugitives for capitall crimes, sent to the Bishops and Clergy a Letter of this tenor:

*The Ecclesiasticall Censure of Excommunication, which should be inflicted upon such as having committed any scandalous offence, are contemners of the admonitions of the Church, is, as we have been enformed, so farre abused against the first institution, that we cannot sufficiently mervail of the proceeding said to be commonly used among you; namely, that persons fugitive for capitall crimes being cited before Ecclesiasticall Judicatories, although it be known that they dare not compeir for fear of their life, are sentenced as persons contumacious, whereas the fear they stand in ought in reason to excuse their absence, since*

Excommunication of persons for criminall and capitall cases if they become fugitive.



An. 1612.

they cannot be judged contemners of the Church, who upon just terrors are kept back from giving their personall appearance. In a late Treatise the Venetian Padre Paulo did learnedly confute the sentence pronounced by the present Pope against him for his not appearing to answer in the cause of heresie, only upon the just fear he pretended, and had his appeal justified by all indifferent men, from the Popes sentence as abusive; your proceedings for the manner is no other, and by the learnedst Divines in these parts resembled to the Moscovites form, who if he be offended with any person, commandeth him to send his head unto him: just so your citations are in the foresaid case, which is to will the offenders come in and be hanged, which were they never so penitent is not to be thought they will doe; for they will rather fall under your censure then hazard themselves in the hands of the Justice. This being the ready way to bring the Censures of the Church in contempt, Our pleasure is, that hereafter there be no such form of proceeding used among you. Notwithstanding if it shall happen such offenders to obtain our pardon and that the fear they stand in of their life be removed, we mean not but that they should be called before the Church, and Censures used against such of those that are impenitent. Hereof perswading our selves that you will have care and not give way to the abuse in time coming, We bid you farewell.

The Clergy agree to reform this point.

Upon the receipt of this Letter, the Bishops convening with certain of the Clergie to advise what course was fittest to be held in these cases, a long reasoning was kept, some maintaining, "That the form practised by the Church was not to be changed, they having tried the good thereof, and that people were terrified by this means from falling into these odious crimes. Others reasoned, That the principall end of all Church censures, especially of Excommunication, was the reclaiming of offenders, and the bringing of them to the acknowledgment of their sin, and that where the principall use had no place, that other secondary ends ought not to be respected; and so in case of Fugitives, what could any Censure avail to their reclaiming, they not being in place to answer, or to receive any admonition? yea and might it not fall that by proceeding against men in such case, men truly sorrowfull for their sin should be sentenced, and so the persons bound by the Church, whom God hath loosed? They did therefore judge it more safe in these cases to advertise people of the hainousness of the fact committed, warning them to make their own profit thereof, and to forbear all proceeding against the fugitive person till his condition should be made known. This turned to be the resolution of the whole number, and thereupon direction was given to the Ministers not to intend or follow any proceffe against fugitives in time coming.

The death of the Earl of Eglington, and the disposition of his living to his Cousin.

This year the Earl of *Eglington* departed this life, who having no childe nor heir male to succeed, made a disposition of his lands and honours to Sir *Alexander Seaton* his Cousin germane, with a proviso, *That he and his children should take the name and use the arms of the house of Montgomery.* The King, who was alwaies most tender in the conveyance of honours, being informed of the disposition made by the deceased Earl, did by a Letter written to the Councell witness his displeasure at such alienations; shewing that howsoever he could not stay Noblemen to dispose of their lands, he being the fountain of all honour within his Kingdoms, would not permit the same to be sold or alienated without his consent: and thereupon did inhibit the said Sir *Alexander* to use the title of Lord or Earl, notwithstanding the disposition made to him. Some two years after his Majesty was pleased to bestow the honour upon him, and so was he received into the place and honour formerly belonging to the house of *Eglington*.

A Parliament in Scotland.

In the month of *October* a Parliament was kept at *Edinburgh*, the Chancellor being Commissioner for the King, wherein the conclusions taken in the Assembly at *Glasgow* were ratified, and all Acts and constitutions, especially the Act made in the Parliament 1592, rescinded and annulled, in so farre, as they, or any of them, or any part of the same were derogatory to the Articles there concluded.

A subsidy granted.

In this Parliament a subsidy was urged, and a great contest made for the quantity, which was required in a more large measure then in former times, because of his Majesties affairs, especially for the marriage of Lady *Elizabeth* with the *Palgrave*, who in the same moneth arrived in *England*. The poverty of the Countrey,

with



with a fear that what was then granted, should be made a Precedent for after times, was pretended by those that withstood the motion, albeit the true cause was known to be the dislike that the Popish faction had of the Match, which by all means they laboured to crosse: nor was any more busie then the Lord *Burleigh* to impede the subsidy, he being a little before come from Court, did affirm that the King in a private speech with him touching the same, had said, That he required no more then was granted in the Parliament 1606, and thereby made the opposition greater then otherwise it would have been; yet in the end after long debating it was concluded, that the supply should be more liberall in regard of the present occasion, then at any time before.

An. 1612.



The King upon advertisement of the Lord *Burleighs* business gave order to remove him from the Councel, and to inhibit him from coming any more at Court: which he apprehending to be the Lord *Scones* doing, and that he had informed against him, took so ill, as he did send him a challenge, and appeal him to the combat. Hereupon he was committed in the Castle of *Edinburgh*, where he remained some two moneths; thereafter upon the acknowledgment of his offence, and being reconciled with the Lord *Scone*, he was put to liberty.

The L<sup>d</sup> *Burleigh* removed from Councell.

In Court at this time was great rejoicing, and the marriage of the Lady *Elizabeth* with Prince *Palatine* daily expected, when on the suddain all was turned to mourning by the death of Prince *Henry*, who departed this life at *S. James*, in the beginning of *November*. A Prince of excellent virtues, and all the perfections that can be wished for in youth. He died at the age of 18 years, and 8 moneths, greatly lamented both at home and abroad. The Councell esteeming it their duty to expresse their dolence for that accident, made choice of the Chancellor and the Archbishop of *Glasgow* for that business. But the King having received an hard information of the Chancellors carriage in the late Parliament, sent his servant *William Shaw* to discharge him from coming to Court, who encountering him at *Morpet*, caused him to return. The Archbishop who was no further advanced then *Berwick* accompanied the Chancellor to *Edinburgh*, and after a short stay there, as he was willed went to his journey again towards Court, whither he came a little before Christmas. The Nuptials in regard of the Princes death were put off to the *February* following, at which time, the sorrow being a little worn out, the same were performed with great solemnity.

An. 1613.

The death of Prince *Henry*.

It was shewed before concerning the oppressions of the people of *Orkney*, that the Acts made by the Earl in his Courts were judged unlawfull, and he discharged to put the same thereafter in execution. Notthelesse going on in his wonted course, he sent his base son called *Robert* into the Countrey, in shew to uplift his rents and duties, but in effect to trie and punish the transgressours of these Acts: whereupon new complaints being preferred to the Councell, the King was advised to make purchase of Sir *John Arnots* right to whom the Earl had impignorated his estate, as being the only means to relieve that distressed people from his oppressions; the bargain shortly was made, and the King possessed in the lands, Sir *James Stewart* Captain *James* his sonne being made Chamberlain and the Sheriffe of the Countrey. The Earl himself was transported from *Edinburgh* to the Castle of *Dunbarton*, and had allowed to him six shillings eight pence sterling a day for his entertainment, where he had not long remained, when as he received advertisement, that the Castles of *Kirkwall*, *Birsay*, and other his Houses in these Isles were all rendred to the Sheriffe. This put him in a great passion, and many waies he essayed to make an escape, but finding no possibility he sent his base son who was lately returned, with an expresse command to take back the houses and expulse the Deputy Mr. *John Finlason*, whom the Chamberlain had left there.

The marriage of the Lady *Elizabeth* with the *Palgrave*. The King acquireth the lands of *Orkney*.

The young man at his coming to *Orkney* being assisted with some loose people made his first assault upon *Birsay*, expulping *Bernard Stewart* the Keeper, and placing a Garrison therein of some thirty persons. The Deputy hearing what was done, went speedily thither, charging them in his Majesties name to render; but they despising the charge, and he not able to force them, he went from thence to *Kirkwall*; the Rebels following at his heels compelled him in like sort to render the Castle of *Kirkwall* in which he had entred,

Rebellion in *Orkney*.



An 1613.

The Earl of  
*Cathnes* im-  
ployed to sup-  
presse the Re-  
bels.

Persons exe-  
cuted for the  
Rebellion.

The death of  
the Bishop of  
*Rosse*.

The Earl of  
*Orkney* put to  
triall.

An. 1614.

The Earl of  
*Orkney* his  
indictment.

The persons  
named for the  
Jury.

The sentence  
pronounced.

Upon report of this Rebellion, Commission was given to the Earl of *Cathnes* as Lieutenant for the King in those bounds, to recover the Castles and pacifie the Countrey; which he carefully performed. At his first landing a company of people to the number of five hundred, who were brought together more out of fear of the Rebels, then of any desire to withstand, made a countenance to resist, but how soon they perceived the Earls resolution to pursue, they gave back, their leaders flying to the Castle which they meant to defend. This they made good some five weeks or more till the Canon having beaten down a great part of the walls, they were forced to yeild themselves at discretion. The persons taken in the Castle were *Robert Stewart* the Earl's base son, *Archibald Murray*, *Andrew Martin*, *Alexander Legat*, and *Thomas King*, servants to the Earl. These were all transported to *Edinburgh*, and being convicted by a Jury, were hanged on a gibbet at the *Mercat-crosse*. In this siege the Lieutenant lost four men only; namely, *William Irwin* son to *William Irwin* of *Saba*, *James Richardson*, *Andrew Adamson*, and *William Robinson*, who were killed all by shots from the Castle; many were wounded and hurt, but thereof recovered.

Towards the end of the year Mr. *David Lindesay* Bishop of *Rosse* departed this life in a great age, having attained to fourscore two or three years: a man nobly descended, and a Brother of the house of *Edzell*. Soon after the Reformation, returning from his travells abroad, he applied himself to the function of the Ministry, and entring the charge at *Leith* continued therein to his death; of a peaceable nature, and greatly favoured of the King, to whom he performed divers good services, especially in the troubles he had with the Church; a man universally beloved and well esteemed of by all wise men. His corps were interred at *Leith* by his own direction, as desiring to rest with that people, on whom he had taken great pains in his life.

The Earl of *Orkney* being brought the *October* preceding from *Dumbarton* to *Edinburgh* was in *February* next put to triall, where together with the Justice there sate as Assessors the Earl of *Dunfermlin* Chancellor, the Lord *Bining* Secretary, the President *Sir John Prestan*, *Sir Gideon Murray* Thesaurer Deputy, *Sir Richard Cockburne* of *Clackinton* Lord privy Seal, *Sir John Cockburne* of *Ormeston* Justice Clerk, *Sir Alexander Hay* Clerk Register, *Sir William Levingston* of *Kilfish* and *Sir Alexander Drummond* of *Medop*, Senators of the Colledge of Justice.

The substance of the Indictment was, "That he had caused his base son to surprise the Castle of *Kirkwall* with the steeple of the Church, the place called the Yards, and house of *Birsay*; that he had incited the people to Rebellion, and detained the said Castles and Houses treasonably after he was charged to deliver the same. His Prolocutors were Mr. *Alexander King*, Mr. *Thomas Nicolson*, and Mr. *Alexander Forbes* Lawyers, all of good esteem; the chief defence they used was a deniall of the libell: the Advocate producing the confession of his base son and those that were executed with him, together with some missive Letters written by one *John Sharpe* at his direction for the detaining of the Castle of *Kirkwall*, and a Charter of certain lands gifted by him to *Pat: Halcro* for assisting the Rebels, the Justice remitted the verity of the Indictment to the Assise.

The persons chosen thereupon was *James* Earl of *Glencarn*, *George* Earl of *Winton*, *John* Earl of *Perth*, *Robert* Earl of *Lothian*, *William* Earl of *Tillibarden*, *David* Lord *Scone*, *William* Lord *Sanghar*, *John* Lord *Harreis*, *James* Lord *Torphichen*, *Hugh* Lord *Semple*, *William* Lord *Killmaers*, *John* Grant of *Frenchie*, *Sir Patrick Hepburne* of *waughton*, *Robert Arnot* of *Farny*, and *Sir Henry Lindesay* of *Kinfawnes*, who sworn and received according to the custome, went apart by themselves for a certain space, and returning unto the Court, by the mouth of their Chancellor (the Earl of *Glencarne*) declared him guilty of the foresaid Rebellion, and of the whole points contained in the Indictment. The Justice thereupon gave sentence that he should be taken to the *Mercat crosse*, and there beheaded, and all his goods and lands confiscated.

The Earl taking the sentence impatiently, some Preachers were desired to conferre with him, and to dispose his minde towards death; but they finding him ir-  
resolute,



resolute, intreated for a delay of the execution; which was granted to the sixth of February, at which time he was brought unto the scaffold, guarded by the Magistrates of the City, and in the sight of many people beheaded. This was the end of Patrick Earl of Orkney, son to Robert Stewart one of King James the fifth his base sons; Robert was at first provided to the Abbacy of Halirudhouse; which he enjoyed divers years: After the forfeiture of Hepburne Earl Bothwell and the obtaining of these Isles, he exchanged the Abbacy with the Bishoprick of Orkney, and so became sole Lord of the Countrey; Patrick succeeding to an elder brother who died young, by his too much resort to Court and profuse spending did involve himself in great debts, and seeking to repair his estate by the indirect courses he touched, fell into these inconveniencies which you have heard, and may serve for a warning to all great personages not to oppress nor play the Tyrants over the meaner sort of people.

About the end of the year John Ogilvy a Jesuite was apprehended at Glasgow. He was lately come from Gratz, where the Jesuits have a Colledge, by the command (as he said) of his superiours, to doe some service in these parts. There were found with him three little books containing certain directions for receiving confessions: a warrant to dispense with them that possess any Church livings, conceived in this form, *Quoad dispensationem de bonis Ecclesiasticis, poteris dispensare ut retineant que possident, dummodo in usus pios aliquid impendant, pro judicio confessarii dispensantis*; with some Reliques, and a tuft of S. Ignatius hair, the founder of their Order, which he seemed to have in great regard.

Upon advertisement given to his Majesty, a Commission was sent to the Secretary the Lord Kilsyth, the Thesaurer Deputy, and Advocate for his examination and triall. Being presented before them, and enquired when he came into Scotland, what his business was, and where he had resorted? To the first he answered, That he came in the June preceding; to the second, that his errand was to save souls; but to the third he denied to give any answer at all, saying, that he would not utter any thing that might work prejudice to others: nor could he be induced either by persuasion or threatening to detect the persons with whom he had resorted. The Commissioners offending at his obstinacy, and meaning to extort a confession from him, advised to keep him some nights from sleep; and this indeed wrought somewhat with him, so as he began to discover certain particulars, but how soon he was permitted to take any rest, he denied all, and was as obstinate in denying as at first.

His Majesty being certified that without torture nothing would be drawn from him, made answer, That he would not have those forms used with men of his profession; and if nothing could be found, but that he was a Jesuit and had said Mass, they should banish him the Countrey and inhibit him to return without licence, under pain of death. But if it should appear that he had been a practiser for the stirring up of subjects to Rebellion, or did maintain the Popes transcendent power over Kings, and refused to take the Oath of Allegiance, they should leave him to the course of law and justice; mean while his pleasure was, that the questions following should be moved unto him, and his answers thereto required:

1 Whether the Pope be Judge, and hath power in *spiritualibus* over his Majesty, and whether that power will reach over his Majesty in *temporalibus* if it be in *ordine ad spiritualia*? as Bellarmine affirmeth.

2 Whether the Pope hath power to excommunicate Kings (especially such as are not of his Church) as his Majesty?

3 Whether the Pope hath power to depose Kings by him excommunicated, and in particular, whether he hath power to depose the Kings Majesty?

4 Whether it be no murder to slay his Majesty being so excommunicated and deposed by the Pope?

5 Whether the Pope hath power to assoile subjects from the Oath of their born and native allegiance to his Majesty?

An. 1614.

The execution of the Earl of Orkney.

John Ogilvy a Jesuit apprehended.

His examination by certain Commissioners.

A direction from his Majesty touching their proceeding with him.

Certain Questions moved to the Jesuit.



An. 1614.



These Questions were sent inclosed in a Letter to the Archbishop of *Glasgow*, who assuming to himself the Provost of the City, the Principall of the Colledge, and one of the Ministers as Witnesses, did in their hearing read the Questions, and receive his Answer, which he gave under his hand, as followeth:

His Answer  
to the Questions.

*I acknowledge the Pope of Rome to be Judge unto his Majesty, and to have power over him in spiritualibus, and over all Christian Kings. But where it is askt, whether that power will reach over him in temporalibus? I am not obliged to declare my opinion therein, except to him that is Judge in Controversies of Religion, to wit, the Pope; or one having authority from him.*

For the second point, *I think that the Pope hath power to excommunicate the King: and where it is said, that the King is not of the Popes Church; I answer, that all who are baptizd are under the Popes power.*

To the third where it is askt, if the Pope hath power to depose the King being excommunicate? I say that *I am not tied to declare my minde except to him that is Judge in controversies of Religion.*

To the fourth and fifth, I answer, *ut supra.*

His Answer  
sent to his  
Majesty.

Being reasoned with a long time, and the danger expounded, wherein he did cast himself, by maintaining such treasonable opinions, he answered, *That he would not change his minde for any danger that could befall him*, and speaking of the Oath of Allegiance, that it was a damnable Oath, and treason against God to swear it. Some daies being allowed him to bethink himself better of these points when as no advice could prevail, and answers were sent to his Majesty subscribed by himself, and therewith a testification of such as were present at the giving thereof.

Commission  
for the Jesuits  
triall.

Hereupon the Councell was commanded to passe a Commission to the Provost and Bayliffs of *Glasgow* for putting him to a triall; there were assisting *James Marquis of Hamilton, Robert Earl of Lothian, William Lord Sanghar, John Lord Fleming, and Robert Lord Boyd*. Some daies before he was brought to the Barre, it was told him, "That he was not to be charged with saying of Masse, nor any thing that concerned his profession, but only with the Answers made to the Questions proposed, which if he should recall, there being yet place to repentance, the triall should be suspended till his Majesty were of new advertised. His reply was, *That he did so little minde to recall any thing he had spoken, as when he should be brought to his answer he should put a bonnet on it.* And this indeed he performed, for when he was placed on pannell, and the Indictment read, which was grounded all upon the Acts of Parliament made against those that declined his Majesties authority, or maintained any other Jurisdiction within the Realm, and upon answer made to the above-written demands, subscribed with his hand, he brake forth in these speeches:

The Jesuits  
detence at his  
indictment.

"Under protestation that I doe no way acknowledge this judgment, nor receive you that are named in that Commission for my Judges, I deny any point laid against me to be treason; for if it were treason, it would be such in all places, and all Kingdomes, which you know not to be so. As to your Acts of Parliament, they were made by a number of partiall men, and of matters not subject to their forum or judicatory, for which I will not give a rotten figge. And where I am said to be an enemy to the Kings authority, I know not what authority he hath but what he received from his predecessors, who acknowledged the Pope of Rome his jurisdiction. If the King will be to me as his predecessors were to mine, I will obey and acknowledge him for my King, but if he doe otherwise and play the runagate from God, as he and you all doe, I will not acknowledge him more then this old hat. At these words being interrupted, and commanded to speak more reverently of his Majesty, he said, "That he should take the advertisement, and not offend, but the judgment he would not acknowledge. And for the reverence I doe you, to stand uncovered; I let you know it is *ad redemptionem vexationis*, not *ad agnitionem Judicii*.

The exception  
proponed by  
the Jesuit.

The persons cited upon the Jury being then called, and he desired to shew, if he would except against them, said, "That he had but one exception against them all, "which



“ which was, that either they were enemies to his cause, or friends : if enemies, they  
 “ could not sit upon his trial; and if friends, they ought to assist him at the Bar. Only  
 “ he should wish the Gentlemen to consider well what they did, and that he could not  
 “ be judged by them. That whatsoever he suffered was by way of injury and not of  
 “ judgement; and that he was accused of treason but had not committed any offence,  
 “ nor could he beg mercy. *And proceeding in this strain, I am, said he, a subject as*  
 “ *free as the King is a King; I came by commandment of my Superior into this*  
 “ *kingdome, and if I were even now forth of it, I would return, neither do I repent*  
 “ *any thing but that I have not been so busie as I should, in that which you call*  
 “ *perverting of subjects. I am accused for declining the Kings authority, and will*  
 “ *do it still in matter of Religion, for with such matters he hath nothing to do: and*  
 “ *this which I say, the best of your Ministers do maintain, and if they be wise will*  
 “ *continue of the same mind: some questions were moved to me which I refused to*  
 “ *answer, because the proferers were not Judges in controversies of Religion, and*  
 “ *therefore I trust you cannot infer any thing against me. But I hope, said the Archbi-*  
 “ *shop, you will not make this a controversie of Religion, Whether the King being deposed by*  
 “ *the Pope may be lawfully killed? To this he replied, “ It is a question among the Doctors*  
 “ *of the Church; many hold the affirmative not improbably; but as that point is*  
 “ *not yet determined; so if it shall be concluded, I will give my life in defence of it,*  
 “ *and to call it unlawfull, I will not, though I should save my life by saying it.*

An. 1614.

His speeches, the more liberty was given him, growing the more intolerable; the Jurors were willed to go apart; who quickly returning, declared by the mouth of their Chancellor Sir *George Elphinston*, that they found him guilty of all the treasonable crimes contained in the indictment. Whereupon doom was pronounced, and the same day in the afternoon he was hanged in the publick street of *Glasgow*. He was, as it seemed, well instructed in that *Jesuitical* doctrine of deposing & dethroning Kings, and like enough to have played another *Ravilliack*, if he had not been intercepted: which was the rather believed, that in lamenting his mishap to one that he esteemed his friend, he did say, *That nothing grieved him so much, as that he should be apprehended in that time; for if he had lived unto Whitsunday at liberty, he should have done that which all the Bishops and Ministers of Scotland and England should never have helped; and to have done it he would willingly have been drawn in peeces with horses, and not cared what torments he had indured.* But this did not burst forth till after his death.

The Jesuite convicted and executed.

Mr. *James Moffet*, another of the same Society, being apprehended neer about the same time, took a safer course; for having condemned *Ogilvies* positions he was suffered to depart the Countrey, the King professing, as he ever did, *That he would never hang a Priest for his Religion*; only these Polypragmatick Papists, that were set upon sedition and to move disturbance in Countreys, he could not away with.

Moffet another Jesuit licenced to depart.

The next spring Mr. *George Gladstaves* Archbishop of *S. Andrews* departed this life: a man of good learning, ready utterance, and great invention; but of an easie nature, and induced by those he trusted, to do many things hurtfull to the Sea, especially in leasing the titles of his Benefice for many ages to come, esteeming (which is the error of many Churchmen) that by this mean he should purchase the love and friendship of men, whereas there is no sure friendship but that which is joyned with respect; and to the preserving of this nothing conduceth more then a wise and prudent administration of the Church rents, wherewith they are intrusted. He left behinde him in writing a declaration of his judgement touching matters then controverted in the Church, professing, that *he had accepted the Episcopall function upon good warrant, and that his conscience did never accuse him for any thing done that way*: this he did to obviate the rumours which he foresaw would be dispersed after his death, either of his recantation, or of some trouble of spirit that he was cast into; (for these are the usuall practises of the *Puritane sect*) whereas he ended his days most piously and to the great comfort of all the beholders. His corpes was interred in the South east Isle of the Parish Church, and the funerall preached by Mr. *William Comper*, Bishop of *Galloway*, who was lately before prefer-

An. 1615.

The Archbishop of S. Andrews his death.



An. 1615.

Bishops translated by this occasion.

The History of Somersets fall.

Sir Tho: Overbury his free advice to Somerset.

Overbury committed to the Tower.

Overbury poisoned and dyeth.

The murder discovered and laid open.

red upon the decease of Mr. *Gavin Hamilton* Bishop of that Sea; a man for courage, true kindness and zeal to the Church never enough commended.

*S. Andrews* falling thus void, divers translations were made in the Church, as of the Archbishop of *Glasgow* to *S. Andrews*, the Bishop of *Orkney* to *Glasgow*, the Bishop of *Dumblane* to *Orkney*, in whose place succeeds Mr. *Adam Ballendene* Rector of *Falkirk*.

In the end of this year there was at Court a great business for trying the murder of Sir *Thomas Overbury*, who had dyed in the Tower some two years before. The occasion and secret contriving of the murder, with the strangeness of the discovery, and his Majesties impartial proceeding in the trial, deserve all to be remembered. The occasion was, *Overburys* free and friendly counsells to the Earl of *Somerset* for diverting him from the marriage he intended with Lady *Francis Howard*, who by a sentence of nullity was freed from the Earl of *Essex* her husband: Often had he dissuaded *Somerset*, presuming upon the familiarity that he vouchsafed him, to forbear that Ladies company, and one night more freely, for that he saw *Somerset* going on in the Match, came unto him, and spake to this effect; *My Lord I perceive you are proceeding in this match which I have often dissuaded as your true servant, and friend, I now advise you not to marry that woman: for if you do, you shall ruine your honour, and your self; adding, that if he went on in that business, he should do well to look to his standing.* The Earl taking his free speech more impatiently because he had touched the Lady (with whom he was bewitched) in her honour, replied in passion, *that his legs were strong enough to bear him up, and that he should make him repent those speeches.* Thus he parted in anger at that time.

*Overbury* interpreting this to be a sudden passion onely, and not thinking that their long continuing friendship would break off by this occasion, continued in his wonted attendance, neither did the Earl wholly abandon him; howbeit having discovered to the Lady *Overbury* his counsell and the words he had uttered to her prejudice, she never ceased to inflame him against the Gentleman, and by all means sought to practise his overthrow. It falling out that *Overbury* was about this time to be employed in an Ambassage to *Russia*, the Earl whose counsell he askt advised him not to embrace the service, but to make some fair excuse. This advice he followed, taking the same to proceed of kindness, and for his refuse was committed to the Tower.

The Lady now had him where she wished, and meaning to dispatch him by poyson, wrought so with the Lieutenant Sir *Fervis Elways* as he did admit one *Richard Weston* upon her recommendation to be *Overburys* keeper, by whom the very evening after he was committed a yellow poyson was ministred unto him in a broth at supper, which provoked such extreme vomits and purging as it was lookt he should not recover. But neither this, nor the other poisons that were continually put in his meats, serving to dispatch him, Mistrresse *Turner* the preparer of all, procured an Apothecaries boy to give him a poysoned glyster, which brought him to his end. *Overbury* thus dead, was presently buried, and because of the blanes and blisters that appeared in his body after his death, a report was dispersed that he dyed of the *French Pox*; which few believed, and still the rumour went according to the truth, that he was made away by poyson. The greatness of the procurers kept all hidden for a time, but God who never suffereth such vile acts to go unpunished, did bring the same to light after a miraculous manner.

It happenned the Earl of *Shrewsbury* in conference with a Counsellour of Estate to recommend the Lieutenant of the Tower to his favour as a man of good parts, and one that desired to be known to him. The Counsellour answering, *that he took it for a favour from the Lieutenant that he should desire his friendship*, added withall, *that there lay upon him an heavy imputation of Overburys death, whereof he wished the Gentleman to cleer himself.* This related to the Lieutenant, he was stricken a little with it, and said, *That to his knowledge some attempts were made against Overbury, but that the same took no effect;* which being told to the King, he willed the Counsellor to move the Lieutenant to set down in writing, what he knew of that matter, as he also did; thereupon certain of the Councell were appointed to examine and finde out



out the truth. From *Weston* somewhat was found, whereupon he was made prisoner; *Turner* and *Franklin* the preparers of the poyson being examined, confessed every thing, and then all breaking forth the Earl of *Somerset* with his Lady and the Lieutenant were Committed.

An. 1616.

*Somerset* and  
his Lady  
committed.

*Weston* at his first arraignment stood mute, yet was induced afterwards to put himself to the triall of the Countrey, and being found guilty was hanged at *Tyburne*. *Mistresse Turner* and *James Franklin* were in like sort executed. The Lieutenant who had winked at their doings was judged accessary to the crime, and condemned to death, which he suffered, expressing a great penitency and assurance of mercy at the hands of God.

In the *May* following the Earl and his Lady were brought to their triall, which by their friends they laboured earnestly to eschew, but the King would not be intreated for the love he had to maintain justice. The Judge by Commission was *Thomas Lord Ellesmore*, Chancellour of *England*, and Lord High Stewart for that time; his assistants were. Sir *Edward Coke*, Lord Chief Justice of *England*; Sir *Henry Hubbart*, Lord Chief Justice of the Common Pleas; Sir *Laurence Tanfield*, Lord Chief Baron of the Exchequer; Judge *Alihared*, one of the Barons of the Exchequer; Judge *Crook*, Judge *Dodderidge*, and Judge *Haughton*, Judges of the Kings Bench, and Judge *Nicols* one of the Judges of the Common Pleas.

*Somerset* and  
his Lady  
brought to  
triall.

The Peers by whom they were tryed was the Earl of *Worcester* Lord Privy-seal, the Earl of *Pembroke* Chamberlain, the Earls of *Rutland*, *Sussex*, *Montgomery*, and *Hartford*; the Viscount *Lisle*, the Lord *Souch*, Warden of the Cinque Ports, the Lord *Willowby of Eresby*, the Lord *Dacres*, the Lord *Monteagle*, the Lord *Wentworth*, the Lord *Rich*, the Lord *Willowby of Parham*, the Lord *Hunsdon*, the Lord *Russell*, the Lord *Compton*, the Lord *Norris*, the Lord *Gerard*, the Lord *Cavendish*, and the Lord *Dormer*.

The persons  
of the Jury.

With the Lady there was not much ado, for she with many tears confessing the fact desired mercy. The Earl who was the next day presented before the Judges made some defences, but the confessions of those that were executed, and a letter he had sent to his Majesty did so cleerly convince him of being accessary to the crime at least, that they were both sentenced to be taken to the Tower of *London*, and from thence to the place of execution and hanged till they were dead. It was a foul and hatefull fact on the Earles part especially, who did betray his friend for satisfying the appetite of a revengefull woman, yet by his Majesties clemency the lives of both were afterwards spared.

The Earland  
his Lady con-  
victed and sen-  
tenced.

A new business was about the same time made by the Marquis of *Huntly*, some eight years before he had been excommunicated, and giving hopes from time to time of his reconciliation, did not onely frustrate the same, but breaking out in open insolencies, had caused his officers discharge his Tenants from hearing the Sermons of some Ministers, with whom he made shew to offend. Being for this called before the high Commission, he was committed in the Castle of *Edinburgh*, and had not remained there two or three days, when upon the Chancellors warrant he was put to liberty. The Bishops that were in Town complaining to himself of that he had done, were disdainfully answered, *That he might enlarge without their advice any that were imprisoned by the high Commission*; and when it was told that the Church would take this ill, said, *that he cared not what their Church thought of him*: whereupon the Ministers made great exclamations in the pulpits as against one that abused his place and power.

The Marquis  
of *Huntly* cal-  
led before the  
Commis-  
sioners.

He is Com-  
mitted.

He is released  
by the Chan-  
cellour.

Complaints hereupon were sent from all hands to the King. The Bishops complained of the Chancellour his usurping upon the Commission, and to this effect directed *Alexander* Bishop of *Cathnes* to Court. The Chancellour complained of the turbulency of the Ministers, and the liberty they took to censure the publick actions of Statesmen in their Sermons. The Marquis upon a suit he made before his imprisonment, had obtained licence to come unto Court, and had taken his journey thither. But the King upon the Clergies complaint, sent Mr. *Patrick Hamilton*, then waiting as Secretary deputy at Court, to command the Marquis to return and enter himself in the Castle of *Edinburgh*, for satisfying the high Commis-  
on,

The Bishops  
complain to  
his Majesty.

A Command  
to the Marquis  
to return to  
his ward.



An. 1616.

The Marquis  
permitted to  
come to Court

on; withall he carried a letter to the Councell sharply rebuking them for releasing the Marquis, he being warded by the Lords of the Commission.

The Gentleman meeting the Marquis, at *Huntingdon*, within a daies journey to *London*, did use his message, who intreated him to go back, and shew the King that he was come to give his Majesty satisfaction in every thing he would enjoin, and to beseech his Majesty since he was so farre on his journey, not to deny him his presence. The offer of satisfaction pleased the King very well, and permitting him to come forward to Court, directed him to the Archbishop of *Canterbury*, with whom he offered to communicate. His excommunication standing in the way, and it being contrary to the Canons, that one excommunicated by the Church, should without their consent who had so sentenced him, be absolved in another, it was a while doubted what course they should take. The King on the one side was desirous to win him home, and on the other loath to infringe the Order of the Church, yet inclining to have the Marquis absolved, it was thought that the Bishop of *Caithnes* his consent in the name of the Clergy of *Scotland*, was a warrant sufficient. Thus the Bishop consenting, the absolution was given him in the Chappell of *Lambeth* by the Archbishop of *Canterbury* in this form.

The form of  
the absolution.

“Whereas the purpose and intendment of the whole Church of *Christ* is to  
“win men unto God, and frame their souls for heaven, and that there is such an  
“agreement and correspondency betwixt the Churches of *Scotland* and *England*,  
“that what the Bishops and Pastors in the one, without any earthly or worldly re-  
“spect, shall accomplish to satisfie the Christian and charitable end, and desire of  
“the other, cannot be distastfull to either. I therefore finding your earnest intreaty  
“to be loosed from the bond of excommunication, wherewith you stand bound in  
“the Church of *Scotland*, and well considering the reason and cause of that censure,  
“as also considering your desire on this present day to communicate here with us,  
“for the better effecting of this work of participation of the holy Sacrament of  
“Christ our Saviour his blessed body and blood; do absolve you from the said  
“excommunication, in the name of the Father and of the Son and of the holy  
“Ghost. And beseech the Almighty God, that you may be so directed by the holy  
“Spirit, that you may continue in the truth of his Gospell unto your lives end, and  
“then be made partaker of his everlasting kingdome.

His Majesties  
letter to the  
Bishops for  
justifying the  
absolution.

How soon it was known that the Marquis was absolved by the Archbishop of *Canterbury*, there were great exceptions taken by the Church, and the same interpreted to be a sort of usurpation: whereof the King being advertised, in a long letter written to the Archbishop of *S. Andrews*, he did justify the doing by these reasons;  
“First, that in absolving the Marquis nothing was intended to the prejudice of the  
“Church of *Scotland*, but what was done was out of a Christian necessity, it being  
“needfull that the Marquis should be absolved before he was admitted to the par-  
“ticipation of the holy Sacrament. Secondly, he willed the Church to consider  
“that his absolution at home was onely deferred upon the scruple he made of the  
“Presence of our Saviour in the Sacrament, and that upon his confession swearing  
“and subscribing the other points of Religion they themselves had suspended his ex-  
“communication the lawfulness whereof he would not dispute but remit the same  
“to the Canonists, yet the suspension standing, it was not much from an absolu-  
“tion. Thirdly, that the absolution given him in *England* did necessarily imply  
“an acknowledgement of the authority of the Church of *Scotland*, whereas if the  
“Archbishop of *Canterbury* had received him to the holy Communion and not first  
“absolved him, being excommunicated by the Church of *Scotland*, the contempt  
“and neglect had been a great deal greater. Fourthly, that the Marquis being  
“come into *England*, and make offer to perform whatsoever should be required of  
“him, it was more fit to take him in that disposition then to have delayed it unto  
“his return into *Scotland*. For these reasons, he said, and especially because all that  
“was done, was with a due acknowledgement, and reservation of the power and in-  
“dependent authority of the Church of *Scotland*; which the Archbishop of *Canter-*  
“bury,



“bury had by his own hand testified it was his pleasure, that upon the Marquis his  
 “return a full form of absolution should be given him, or a ratification made of  
 “that which was done in *England*; so as neither the Archbishop of *Canterbury* his  
 “doing should be disapproved, as unlawfull; nor the same so approved, as it might  
 “seem that the Church of *Scotland* was inferiour in any sort to that of *England*;  
 “and that the Archbishops Letter written to that effect, should be put in record,  
 “and kept as a perpetuall monument for ages to come.

An. 1616.

This Letter directed to the Archbishop of *S. Andrews*, I have thought here meet to be inserted.

*Salutem in Christo.*

“**B**Ecause I understand that a Generall Assembly is shortly to be held at *Aber-*  
 “*dene*, I cannot but esteem it an office of brotherly love to yeild you an ac-  
 “compt of that great action, which lately befell us here with the Marquis of *Hunt-*  
 “*ley*. So it was then, that upon the coming up of the said Marquis, his Majesty  
 “sharply entreating him for not giving satisfaction to the Church of *Scotland*, and  
 “for a time restraining him from his Royall presence, the Marquis resolving to give  
 “his Majesty contentment, did voluntarily proffer to communicate when and  
 “wheresoever his Highness should be pleased; whereupon his Majesty being plea-  
 “sed to make known that offer to me, it was held fit to strike the iron whilest it was  
 “hot and that this great work should be accomplished before his Majesties going  
 “to progresse; whereunto a good opportunity was offered by the consecration of  
 “the Bishop of *Chester*, which was to be in my Chappell of *Lambeth* the seventh of  
 “this moneth, at which time a solemn communion was there to be celebrated.

The Archb-  
 shop of *Canter-*  
*bury*'s excuse  
 for the abso-  
 lution.

“The only pause was, that the Marquis being excommunicated by the Church  
 “of *Scotland*, there was in appearance some difficulty how he might be absolved in  
 “the Church of *England*; wherewith his Majesty being acquainted, who wished  
 “that it should not be deferred, we grew to this peaceable resolution, which I doubt  
 “not your Lordship and the rest of our brethren there will interpret to the best:  
 “for first, what was to be performed might be adventured upon, as we esteemed,  
 “out of a brotherly correspondency and unity of affection, and not only of any au-  
 “thority; for we well know, that as the Kingdome of *Scotland* is a free and abso-  
 “lute Monarchy, so the Church of *Scotland* is entire in it self, and independent up-  
 “on any other Church. Secondly, we finde by the advice of divers Doctors of the  
 “Civil law, and men best experienced in things of this nature, that the course of  
 “Ecclesiasticall proceedings would fairly permit that we might receive to our com-  
 “munion a man excommunicated in another Church, if the said person doe declare  
 “that he had a purpose hereafter for some time to reside among us, which the Lord  
 “Marquis did openly professe that he intended, and I know his Majesty doth desire  
 “it; and for my part I rest satisfied, that it can bring no prejudice, but rather con-  
 “tentment unto you, and to that Kingdom. Thirdly, it pleased God the night before  
 “the celebration of the sacrament, to send in our brother the Bishop of *Cathnes*,  
 “with whom I taking counsel, his Lordship resolved me, that it was my best way to  
 “absolve the Lord Marquis, and assured me that it would be well taken by the  
 “Bishops and Pastors of the Church of *Scotland*. I leave the report of this to my  
 “Lord *Cathnes* himself, who was an eye-witness with what reverence the Marquis  
 “did participate of that holy sacrament. For all other circumstances, I doubt not  
 “but you shall be certified of them from his Majesty, whose gracious and princely  
 “desire is, that this bruised reed should not be broken, but that so great a personage,  
 “(whose example may doe much good) should be cherished and comforted in his  
 “coming forward to God: which I for my part doe hope, and firmly believe, that  
 “you all will endeavour according to the wisdom and prudence which Almighty  
 “God hath given unto you. And thus as your Lordship hath ever been desirous  
 “that I should give you the best assistance I could with his Majesty for the redu-  
 “cing or restraining this Nobleman, so you see I have done it with the best discre-  
 “tion I could, which I doubt not but all our brethren with you will take as pro-  
 “ceeding from my desire to serve God, and his Majesty, and the whole Church  
 “of



An. 1616. " of *Scotland*. I send you herewith the form which I used in absolving the Lord  
 " Marquiss in the presence of the Lord Primate of *Ireland*, the Lord Bishop of  
 " *London* and divers others. And so beseeching the blessing of God upon you  
 " all, that in your Assembly with unity of spirit you may proceed, to the honour  
 " of Christ and to the beating down of Antichrist and Popery, I leave you to the  
 Almighty.

From my house at *Croyden*,  
 July 23. 1616.

The Archbishops letter giveth some content.

An Assembly at *Aberdene*.

The Marquiss of new absolved.

Acts concluded in the Assembly.

This letter being shewed to the Clergy and others that were offended with the absolution of the Marquiss, gave them content, yet was it resolved that the Marquiss (who then was returned from Court) should present a supplication to the generall Assembly which was to meet at *Aberdene* the 13 of *August*, acknowledging his offence, not despising the admonitions of the Church, and promising to continue in the profession of the truth, and make his children to be educated in the same, and that upon his supplication he should be new absolved according to the form used in the Church of *Scotland*. This was very solemnly performed the first day of the Assembly, the Earl of *Montrose* being then Commissioner for his Majesty.

In the Assembly it was ordained, " That for as much as his Majesty had by Proclamation recalled such as were gone forth of the Countrey to be educated in the Colledges of Jesuits, or other Popish Universities, within the space of a year upon pain to be declared incapable of succession either to goods or lands; a triall and exact search should be made of all those that were sent or gone into forain parts within these last ten years, and that every Minister should send a particular note unto his Ordinary of those within his Parish that were gone to follow their studies in places abroad, with their age, profession and families whereunto they appertained, to the end they may be known, and the dangers prevented wherewith their corrupt education did threaten the Church.

It was likewise enacted, " That no man should be permitted to practise or profess any Physick, unless he had first satisfied the Bishop of the Dioces touching his religion. That a Liturgie or book of Common prayer should be formed for the use of the Church; That the Acts of the generall Assemblies should be collected and put in form, to serve for Canons to the Church in their Ministration of discipline; That children should be carefully catechised, and confirmed by the Bishops, or in their absence by such as were employed in the visitation of Churches; That Grammar Schooles should be established in all Parishes where the same might be conveniently done; And that a Register should be kept of baptisimes, marriages and burials by the Minister of every Parish.

These Acts being put in form, were ordained to be presented to his Majesty by the Archbishop of *Glasgow*, and Bishop of *Rosse*, who were sent from the Assembly to intreat his Majesties confirmation of the thing concluded.

By the answer returned with them, his Majesties good liking of all that had proceeded in the Assembly, was understood; only against the Act of *confirming young children by Bishops*, he excepted, saying, it was a *meer hotch potch*, and not so cleer as was requisite; and therefore directed the same to be reformed; and among the Canons of the Church the Articles following to be inserted.

Commissioners directed to the King from the Assembly.

His Majesties answer returned.

Articles craved to be inserted among the Canons.

First, That for the more reverend receiving of the holy Communion the same should be celebrated to the people thereafter kneeling, and not sitting, as had been the custome since the reformation of Religion.

2 If any good Christian visited with sickness, which was taken to be deadly, should desire to receive the Communion at home in his house, the same should not be denied to him, lawfull warning being given to the Minister the night before; and three or four of good Religion and conversation, being present to communicate with the sick person; who must provide for a convenient place and all things necessary for the reverend administration of the blessed Sacrament.

3 That



3 That the Sacrament of Baptisme should not be longer deferred then the next Sunday after the child is born, unless some great and reasonable cause declared and approved by the Minister, doe require the same. And that in the case of necessity tried and known to the Minister it should be lawfull to administrate Baptisme in private houses, the same being alwaies ministred after the form it would have been in the congregation and publick declaration thereof made the next Sunday in the Church, to the end the child might be known to have been received into the flock of Christs fold. An. 1616.

4 Seeing the inestimable benefits received from God by our Lord *Iesus Christ* his birth, passion, resurrection, ascension, and sending down of the Holy Ghost, have been commendably remembred at certain particular dayes and times by the whole Church of the World, every Minister from thenceforth should keep a commemoration of the said benefits upon these days, and make choice of severall and pertinent texts of Scripture, and frame their doctrines and exhortations thereto, rebuking all superstitious observation and licentious profaning of the said times.

5 The Act of confirmation of Children his Majesty desired to be reformed in this manner. Seeing the confirmation of Children is for the good education of youth most necessary being reduced to the Primitive integrity, It is thought good that the Minister in every Parish shall catechise all young children of eight years of age, and see that they have knowledge, and be able to rehearse the Lords prayer, the Belief, and ten Commandments, with answers to the questions of the small Catechisme used in the Church, and that the Bishops in their visitations shall cause the Children be presented before them, and bless them with prayer for the encrease of Grace, and continuance of God his heavenly gifts with them.

The difficulty of admitting these Articles being represented in an humble letter to his Majesty by the Archbishop of *S. Andrews*, and a reason given why the same could not be inserted with the Canons, as having at no time been mentioned to the Church, nor proponed in any of their meetings, he was pleased to forbear the pressing of the same for that time, thinking at his coming into *Scotland*, which he intended the next Summer, to satisfie such as were scrupulous, and to obtain the Churches consent.

Reasons why the Articles could not be inserted among the Canons.

Shortly after a letter was sent to the Council, "To assure them of the Kings resolution to visit the Kingdom, which he said did proceed of a longing he had to see the place of his breeding, a *Salmon-like instinct* (as he was pleased to call it) and because he knew that evill disposed persons would disperse rumours, as if he came to make alterations in the civill and ecclesiasticall Estate, he commanded Proclamation to be made for certifying the subjects of the contrary. It was true, he said, that he desired to doe some good at his coming; and to have abuses reformed both in the Church and Common-wealth; yet foreseeing the impediments that his good intentions would meet with, and regarding the love of his people no less then their benefit, he would be loath to give them any discontent, and therefore willed all his good subjects to lay aside their jealousies, and accommodate themselves in the best sort they could for his receiving, and the entertainment of the Noblemen of *England* who were to accompany him in the journey.

A Proclamation touching the Kings purpose to visit the Countrey.

The Earl of *Marre* was at that time made Thesaurer, and Sir *Gedeon Murray* continued in his deputation. A motion had been made a little before, for appointing a Commissioner or Deputie in the Kingdom, which was hearkened unto by the King as that which would ease him of many vexations, and in his absence maintain a face of Court, and breed a great respect among the people; and so farre was that purpose advanced, as both the King had made offer of the place to the Earl of *Marre*, and he yielded to accept the same: but this breaking out and coming to the Chancellors knowledge, whether that he desired not to have any in place above himself, or as he pretended wishing the Noblemans good, he divert-

The Earl of *Marre* made Thesaurer.



An. 1616.



A direction  
for repairing  
the Chappell.

The Bishops  
entreat the  
stay of some  
carved pictures  
upon fear of  
offence.

Ann. 1617.

His Majesties  
answer.

The King re-  
fuseth to de-  
ferre his jour-  
ney as he was  
desired.

A Parliament  
in Scotland.

His Majesties  
speech to the  
Estates.

ed him from accepting that charge, and brought him to embrace the office of Treasurer as the most profitable, and that which should bring with it a less envy. Sir Gedeon had the intromission withall, as when *Somerset* was in place and did provide things so carefully and with such foresight, as when the King came he found nothing lacking that was required for a Royall and Princely entertainment.

Among other directions sent from the King, one was for repairing of the Chappell, and some *English* carpenters employed, who brought with them the portraits of the *Apostles* to be set in the Pews or Stalls; as they were proceeding in their work, a foolish and idle rumour went, that *Images were to be set up in the Chappell*: and as people are given to speak the worst, it was current among them, that *the Organs came first, now the Images, and ere long they shou'd have the Masse*. The Bishop of *Galloway* then Dean of the Chappell moved with these speeches, did pen a letter to the King, entreating his Majesty "for the offence that was taken" to stay the affixing of these portraits. To this letter he procured the subscriptions of the Archbishop of *S. Andrews*, the Bishops of *Aberdene* and *Berchin* and divers of the Ministers of *Edinburgh*.

The answer returned by the King was full of anger, objecting ignorance unto them that could not distinguish betwixt *pictures intended for ornament and decoration*, and *images erected for worship and adoration*; and resembling them to the *Constable of Castile*, who being sent to swear the peace concluded with *Spain*, when he understood the business was to be performed in the Chappell, where some *anthems* were to be sung, desired that *whatsoever was sung, Gods name might not be used in it, and that being forbore he was content they should sing what they listed*: just so, said the King, *you can endure Lyons, Dragons, and Devills to be figured in your Churches, but will not allow the like place to the Patriarchs and Apostles*. His Majesty alwaies gave order for some other form and staying the erecting of these portraits; which in the same letter he said, *was not done for ease of their hearts, or confirming them in their error, but because the work could not be done so quickly in that kind as was first appointed*. This letter was of the date at *Whitehall*, the 13 of *March* 1617.

The King was much laboured to deferre his journey to the next year, when as he should find things better prepared, but he refusing to hearken to any such motion, made the greater haste, and in the beginning of *May* came to *Berwick*, where he was met with divers of the Councell, and by their advice the Parliament which had been indicted to the 17 of *May* prorogued to the 13 of *June*. All this time intervened, the King spent in a progress through the Countrey, making his entry in the speciall Burghs after a most Royall manner, and welcomed with all the expressions of joy that could be devised.

At the day appoynted the Estates were frequently assembled, where his Majesty made a long speech for the establishing *Religion* and *Justice*, neither of which, he said, could be lookt for so long as a regard was not had to the *Ministers* of both. For *Religion* he complained, *That notwithstanding of the long profession of the truth, numbers of Churches remained unplanted, and of those that were planted few or none had any competent maintenance: for this he wished some course to be taken, and certain Commissioners to be chosen for appointing to every Church a perpetuall locall stipend, such as might suffice to entertain a Minister and make him able to attend on his charge of justice*. He discoursed long remembring the pains he had taken as well when he lived among them, as since his going into *England*, and how he had placed *Iustices* and *Constables* (a most laudable kind of government) for the preserving of peace, and the keeping of the laws in due regard; which he understood, as he said, to be much neglected, partly in default of some that were named to those places, and held it a scorne to be employed in such a charge, and partly by the opposition which the Lords and great men of the Countrey made unto them, and to their settling: but he would have both the one and other to know, that as it was a place of no small honour to be a Minister of the Kings *Iustice* in the service of the *Commonwealth*; so he did esteem none to deserve better at his hands then they who gave countenance thereto; as on the other part whosoever should shew themselves hinderers thereof, should be accounted with him enemies to his Crown, and the quiet of the Kingdom. In end he said, that he had long striven to have the barbarities of the Countrey which they

knew



*knew to be too many removed and extinct, and in place thereof Civility and Justice established, and that he would still endeavour to doe his best that way, till he might say of Scotland as one of the Emperours said of Rome, Inveni lateritium, relinquo marmoream.*

An. 1617.

The King having closed and the Lords gone apart to choose those that should be upon the Articles, the humours of some discontented Lords begun to kith; for whosoever were by the King recommended as fit persons, were passed by as men suspected, and others named who stood worse affected to his Majesties service. Another question they made for admitting the Officers of State, refusing to admit any but the Chancellor, Thesaurer, and Clerk of the Rolls. This being long and sharply debated, was in end agreed by the admission of the whole number.

A Trouble in choosing the Lords of the Articles.

Among these Articles proponed, the first was, of his Majesties authority in causes Ecclesiasticall, concerning which it was desired to be enacted, "That whatsoever conclusion was taken by his Majesty with advice of the Archbishops and Bishops in matters of externall policy, the same should have the power and strength of an Ecclesiasticall law. The Bishops interceding did humbly intreat that the Article might be better considered, for that in making of Ecclesiasticall laws, the advice and consent of Presbyters was also required. The King replying, *That he was not against the taking of Ministers their advice, and that a competent number of the most grave and learned among them should be called to assist the Bishops; but to have matters ruled as they have been in your Generall Assemblies, I will never agree: for the Bishops must rule the Ministers, and the King rule both, in matters indifferent and not repugnant to the word of God.* So the Article passed in this form, "That whatsoever his Majesty should determine in the externall government of the Church, with the advice of the Archbishops, Bishops, and a competent number of the Ministry, should have the strength of a law.

Article concerning his Majesties prerogative in causes Ecclesiasticall.

This coming to the Ministers ears, they began to stirre as if the whole Rites and Ceremonies of *England* were to be brought upon them without their consents; whereupon the Ministers that were in Town were called together, and warned to be quiet, for that such a generall Act did not lay upon them any bond; and if any particular was urged, the same should be communicated to them, and nothing concluded without their consents. It was further told them, that there would not be wanting informations enough to stirre them up unto unquietness, but they should doe well not to irritate his Majesty, whom they knew to be a gracious Prince, and one that would hear reason, and give way to the same. This they did all promise; yet upon the suggestion of some discontented people, the very next day Mr. William Struthers, one of the Ministers of *Edinburgh*, did unhappily break out in his Sermon upon these matters, condemning the Rites received in the Church of *England*, and praying God to save *Scotland* from the same. This reported to the King by some of the *English* Doctors that were his hearers, he became greatly incensed. But the Ministers not contented with this, did the same day in the afternoon tumultuously convene, and form a Protestation, in the words following:

A stir among the Ministers because of the Article.

"**M**ost gracious and dread Sovereign, most honourable Lords and remanent Commissioners of this present Parliament; We the Ministers of Christs evangel, being here convened from all the parts of this your Majesties Kingdome, doe in all reverence and submission intreat your Majesties and honours patient and favourable hearing of this our reasonable and humble supplication; And first it will please your Highness & honorable Estates presently convened to be informed, that we are here a number of the Ministry out of all the parts of the Kingdome, and that the Bishops have protested to a great many of us since our coming that nothing should be agreed nor consented unto by them in this present Parliament, in matters concerning the discipline & order of the Church, without our knowledge and advice, affirming that neither we nor they have any power to consent to any novation, or smallest change of the order established, without the advice of the Generall Assembly; whereupon we resting in security, have received a sudden report of an Article to passe for a law in the Parliament, decern-

The Ministers Protestation.



An. 1617.



“ing and declaring that your Majesty with the advice of the Archbishops, and  
 “Bishops, and such a competent number of the Ministry as your Majesty out of  
 “your wisdom should think expedient, shall in all time coming have full power to  
 “advise and conclude all matters of decency, and which any way may concern the  
 “policy of the Church: And that such conclusions shall have the strength and  
 “power of laws Ecclesiasticall; wherein it will please your Majesty and honour-  
 “able Estates to hear our own just griefs, and to consider our reasonable desires,  
 “and not to put us your Majesties humble subjects to that poor and simple part of  
 “protestation. Which if remedy be not provided, we shall be forced to use for the  
 “freedom of our Church and discharge of our consciences.

“We then first plead our reformation, and that the purity of our Church in  
 “doctrine, ministration of the sacraments, discipline and all convenient order with  
 “the best reformed Churches in *Europe*, hath been acknowledged rather as a pat-  
 “tern to be followed of others, then that we should seek our reformation from  
 “those that never attained to that perfection, which we by the mercy of God this  
 “long time past have enjoyed under your Highness protection.

“Next, we plead the liberty of our Church, which by the laws of your Majesties  
 “Kingdome and divers Acts of Parliament, is established with power of publick  
 “meetings and annuall Assemblies, and allowance to make Canons and constitu-  
 “tions, such as may serve for the comely order thereof, all which by this conclusion  
 “that is intended will be utterly overthrown.

“Thirdly, we plead for the peace and tranquillity of our Church, that being  
 “nearest the Divine and Apostolicall institution hath lived without *schisme*, and  
 “rent in the self; and by introduction of any novelty against order, may be miser-  
 “ably divided, and so our peace broken.

“Fourthly, we have been at divers times sufficiently secured from all suspicions  
 “of innovation, and specially by your Majesties Letter, sent down this last Winter,  
 “to take away all fear of any alteration which might arise upon your Majesties lo-  
 “vingly intended journey; which Letter by your Majesties speciall will and dire-  
 “ction of your Highness Councell, was intimated in pulpits; as also by that Pro-  
 “clamation given out the 26 of *September* 1616, when rumours of an intended  
 “conformity with the Church of *England* were dispersed: whereby your Majesty  
 “sufficiently avoided all such suspicion, and settled the hearts of honest men in a  
 “confidence that no such thing should be attempted.

“These, and many other reasons have moved us in all reverence by this our  
 “humble supplication to entreat your Highness, and honourable Estates, not to  
 “suffer the aforementioned Article, or any other prejudiciall to our former liberties, to  
 “passe at this time, to the grief of this poor Church; that the universall hope of  
 “thousands in this land, who rejoiced at your Majesties happy arrivall, be not tur-  
 “ned into mourning; wherein as we we are earnest supplicants to God, to incline  
 “your Majesties heart this way, as the most expedient for the honour of God, and  
 “well of your subjects, so if we shall be frustrated of this our reasonable desire,  
 “then doe we in all humility, (with that dutifull acknowledgment of our loyalty  
 “to your Majesty, as becometh) protest for our selves and all our brethren that  
 “shall adhere to this our Protestation, that as we are free of the same, so must we  
 “be forced rather to incur the censure of your Majesties law, then to admit or  
 “obtemper any imposition that shall not flow from the Church orderly convened,  
 “or others having power from the same.

The subscri-  
 vers of the  
 Protestation.

This Protestation was subscribed by Mr. *Archibald Symphon* Minister at *Dalkeith*,  
 in name of the brethren and supplicants. In another paper, the Ministers who were  
 present set down their names each of them with his own hand, for a testimony of  
 their concurrence, which was committed to the said Mr. *Archibald* in custody. But  
 as it falleth out in things unadvisedly done, and in the heat of humour, the princi-  
 palls in that business quickly forthinking that which they had done, came the next  
 morning early to the Archbishop of *S. Andrews*, intreating him to stop the present-  
 ing thereof, which he shewed he might easily doe by taking the same from Mr. *Pe-  
 ter Hewet*, in whose hand it was given to present.

This



This man being one of the Ministers of *Edinburgh* had lately before been preferred to the Abbacy of *Croftmagwell*, and having thereby a place in the Parliament house, was held the most fitting to present the Protestation, which he willingly undertook; for he loved ever to be meddling, and was alwaies set to make trouble. The Parliament was that day to close, and the Archbishop knowing how ill the King would take their doing, went the more timely to the Palace, where meeting with the Abbot, he asked him concerning the Protestation, desiring to see it; and having perused a few lines began to rebuke him for taking in hand such a business; he making some excuse, and saying, it was a Protestation only which could not offend, put forth his hand to take back the paper; but the Archbishop holding it fast, the Protestation was neer rent betwixt them. It happened one of the Grooms (called *John Livingston*) to see them at strife, for they had met in the private gallery, neer to his Majesties chamber, who shewing the King what he had seen; his Majesty came forth being as yet undressed, and asked what the matter was? The Archbishop answered, "That a number of Ministers having framed a Protestation against the Article of his Majesties Prerogative, had given it to the man that he had made Abbot to present, and that he had undertaken to doe the same, for which he had been chiding him, it being an undutifull part in him without signifying the matter to his Ordinary to take such a business in hand."

The man falling upon his knees, and trembling, said, "That he supposed the Protestation would never offend his Majesty, and that he had promised to present the same in Parliament; but now that it appeared to him otherwise, he would no more meddle therewith."

The King taking the Protestation, and perceiving it subscribed by one only Minister, inquired who these others were that convened. The Abbot answered, that they had all signed a paper besides, which the subscriber kept by him for his warrant. Then the King commanding the Bishop to keep the Protestation, went to prepare himself for the meeting, and suspecting that some other might come and protest against the Article, commanded the Register *Sir George Hay* (who upon the death of *Sir Alexander Hay* had been preferred to the office the year before) to passe by that Article as a thing no way necessary, the prerogative of his Crown bearing him to more then was declared by it. Thus when the hour of meeting came, the Register, as he was commanded, laying by that Article, caused read the others that were concluded, as the custome is, and the same being assented to by the Estates, were ratified by his Majesty. Thereafter the King in a most grave speech having commended the execution of the laws made to the Judges and other inferiour Magistrates, gave the Estates a most kinde and loving farewell.

The same night the Bishops had warning given them to meet his Majesty at *S. Andrews* the tenth of *July*, whither he minded to call the principall Ministers also, that they might know his minde before he went away. The Diet held as was appointed, and there assembled with the Bishops, the Ministers of chief account to the number of thirty six, who being convened in the Chappel of the Castle, the King did speak to them to this purpose.

*What and how great my care hath been for this Church as well before as since my going into England, is so well known to you all, as I neither need, nor doe I mean to speak much of it, lest any should think I am seeking thanks for that I have done. It sufficeth me, that God knows my intention is, and ever was to have his true worship maintained, and a decent and comely order established in the Church. But of you I must complain, and of your causeless jealousies, even when my meaning towards you is best. Before my coming home to visit this Kingdom, being advertised that in your last Assembly an Act was made for gathering the Acts of the Church, and putting them in form, I desired a few Articles to be inserted; one was for the yearly commemoration of our Saviour his greatest blessings bestowed upon mankind, as his Nativity, Passion, Resurrection, Ascension, and the descent of the holy Spirit. Another for the private use of both Sacraments, in urgent and necessary cases. A third for the reverent administration of his holy Supper. And a fourth for Catechising and Confirming young Children by Bishops. It was answered, that these particulars had*

An. 1617.

*M<sup>r</sup> Peter Hewet* undertakes the presenting of the Protestation.

The Clerk of Register commanded to pass by the Article of Prerogative.

The Bishops warned to meet at *S. Andrews*.

His Majesties speech at the meeting.



An. 1617.

not been moved in any of the Church Assemblies, and so could not be inserted with the rest; which excuse I admitted, and was not minded to presse them any more till you after advice did give consent thereto; yet when in the late Parliament I desired my prerogative to be declared in the making of the Ecclesiasticall laws, certain of your number did mutinously assemble themselves, and form a Protestation to cross my just desires. But I will pass that among many other wrongs I have received at your hands: the errand for which I have now called you, is, to hear what your scruples are in these points, and the reasons, if any you have, why the same ought not to be admitted. I mean not to doe any thing against reason; and on the other part my demands being just and religious, you must not think that I will be refused or resisted. It is a power innated and a speciall prerogative which we that are Christian Kings have, to order and dispose of externall things in the policy of the Church, as we by advice of our Bishops shall finde most fitting; and for your approving or disapproving, deceive not your selves, I will never regard it, unlesse you bring me a reason which I cannot answer.

The Ministers  
promise obedience upon permission of a  
general Assembly.  
b.y.

The Ministers at these words falling on their knees did beseech his Majesty to think of them as his most humble and obedient subjects, and to permit them to confer a little space among themselves that they might return with an uniforme answer. This granted, they went to the parish Church, and after some two hours returned, making petition for a generall Assembly, wherein these Articles being proponed might be with a common consent received. The King asking what assurance he might have of their consenting; they answered, that they found no reason to the contrary, and knew the Assembly would yeeld to any reasonable thing demanded by his Majesty. But if it fall out otherwise, said the King, and that the Articles be refused, my difficulty shall be greater, and when I shall use my authority in establishing them, they shall call me a tyrant and persecutor. All crying that none could be so mad as to speak so: Yet experience, sayes the King, tels me it may be so; therefore unless I be made sure, I will not give way to an Assembly. Mr. Patrick Galloway saying, that the Bishop of S. Andrews should answer for them: the Bishop refused, for that he had been deceived by them, they having against their promise in the time of Parliament taken the course which they did. Then said Mr. Patrick, If your Majestie will trust me, I will assure for the Ministers. The King replying that he would trust him; it was condescended that an Assembly should be called for that end at S. Andrews the 25. of November next.

Mr. Archibald  
Symphon and  
Mr. David  
Catherwood  
committed.

Mr. Archibald Symphon the subscriber of the Protestation had been called to the meeting, but falling sick by the way, he excused himself by a letter, and therein was very earnest to have the brethren oppose the Articles which he called *tricas Anglicanas*, using some other disdainfull words. The letter being shewed to the King he asked for the bearer. This was Mr. David Catherwood, who carrying himself unreverently, and breaking forth into speeches not becoming a subject, was committed in the Town house of S. Andrews, and afterwards banished the kingdom. Symphon for his letter was warded in the Castle of Edinburgh, where he remained unto December following.

The King de-  
parteth towards  
London.

The King after this taking his Journey to London by the west parts, was all the way through Scotland royally entertained, and at Dumfries had a farewell Sermon preached by the Bishop of Galloway, which made the hearers burst out in many tears.

An assembly  
at S. Andrews.

When the diet of the Assembly came, the Earle of Hadington, and Viscount of Stormont were sent thither, as Commissioners from his Majesty; the Archbishop made the exhortation, "wherein having deduced the Story of the Church from the time of reformation, he shewed that the greatest hinderance the Church received, proceeded from the Ministers themselves, who for the pleasure of ill disposed people spared not to provoke his Majesty to just anger: exhorting them for the glory of God, the honour of the Gospell and their own good, to take another course, and preferre the favour of their King, under whom they enjoyed so many blessings, to the vain applause of factious persons.

It



It seemed at first, that matters should have gone well; for the first two dayes there was much calmenesse, and the reasoning very formall and free, but then upon a motion to delay the conclusion to another Assembly, that the Ministers might have time to informe the people of the equity of the Articles, the greater part went that way, and all almost cried for a delay.

His Majesties Commissioners declaring that the King would take in ill part the delay, and that nothing should be done considering the promises they had made, if a generall Assembly should be granted to receive the whole Articles, a fashion was made to a condescending to private Communion, and the Ministers ordained to give the elements in the ministrat[i]on of the holy Supper out of their own hands to the people: which two acts with a letter of excuse for the continuance of the rest, were sent to his Majesty; how the same was excepted, may appear by the answer that came a few dayes after, which was this.

“We have received your letter, and thereby understand what your proceedings have been in that Assembly of *S. Andrews*; concerning which we will have you know, that we are come to that age, as we will not be content to be fed with broath, as one of your Coat was wont to speak, and think this your doing a disgrace no lesse then the protestation it self. Wherefore it is our pleasure, and we command you as you will avoid our highest displeasure, the one of you by your Deputy in *S. Andrews* and by your self in *Edinburgh*, and the other of you in *Glasgow*, keep *Christmas* day precisely, your selves preaching, and choosing your Texts according to the time. And likewise that ye discharge all modification of Stipends for this year to any Minister whatsoever, such excepted as have testified their affection to our service at this time by furthering at their power the acceptation of the Articles proposed, and in the promises willing you not to fail we bid you farewell. *Newmarket* the 6 of *December*. 1616.

In a postscript to the same letter it was said, *So many Bishops as you can get warned in time to preach at their Season Christmas day, urge them to it. Thus much in haste for this time, after two or three daies ye shall hear further from us.* With his Majesties own hand after all was written, *Since your Scottish Church hath so far contemned my Clemency, they shall now find what it is to draw the anger of a King upon them.*

This letter was directed to the Archbishops of *S. Andrews* and *Glasgow*, the other which followeth to *S. Andrews* him alone.

“After we had commanded the dispatch of our other letter, we received an extract concluded (we know not how) in your Assembly, and subscribed by the Clerk thereof. The one concerning private Communion, and the other concerning the forme to be used at the receiving of the holy Sacrament; both so hedged and conceived in so ridiculous a manner, as besides that of the whole Articles proponed, these two were the least necessary to have been urged, and hastned. The scornfull condition and forme of their grant makes us justly wish that they had been refused with the rest: for in the first concerning the Communion allowed to sick persons, besides the number required to receive with such patients, and a necessity tying them upon oath to declare that they truly think not to recover, but to dye of that disease, they are yet further hedged in with a necessity to receive the Sacrament (in case foresaid to be ministered unto them) in a convenient room; which what it importeth we cannot guess, seeing no room can be so convenient for a sick man (sworn to dye) as his bed, and that it were injurious and inhumane from thence in any case to transport him, were the room never so neat and handsome, to which they should carry him.

“And as to that other Act ordaining the Minister himself to give the Elements in the celebration out of his own hand to every one of the Communicants; and that he may performe this the more commodiously, by the advice of the Magistrates and honest men of his Session, to prepare a Table, at which the same may be conveniently ministered, Truly in this we must say that the Ministers ease and commodious sitting on his taile, hath been more lookt to,

An. 1617.

The Assembly inclineth to a delay.

The Commissioners obtain a grant of private Communion.

The King offended with the Assemblies proceedings writeth to the two Archbishops.

Another letter to the Archbishop of *S. Andrews*.

“then



An. 1617.

“ then that kneeling, which for reverence we directly required to be enjoined to  
 “ the receivers of so divine a Sacrament; neither can we conceive what should  
 “ be meant by that Table, unless they mean to make a round Table (as did the  
 “ Jews) to sit and receive it. In conclusion, seeing either we and this Church  
 “ here must be held Idolatrous in this point of kneeling, or they reputed re-  
 “ bellious knaves in refusing the same, and that the two foresaid Acts are concei-  
 “ ved so scornfully, and so far from our meaning; it is our pleasure that the same  
 “ be altogether suppressed, and that no effect follow thereupon. So we bid you  
 “ farewell. *Newmarket* the 11 of *December*. 1617.

Letters to the  
 Councell for  
 inhibiting the  
 payment of  
 Stipends.

These letters were accompanied with another to the “ Councell for inhibi-  
 “ ting the payment of Stipends to any of the rebellious Ministers refusers of the  
 “ said Articles either in Burgh or Landwart, till they shew their conformity, and  
 “ that the same was testified by the subscriptions of the Primate or ordinary Bi-  
 shop. Which letters being shewed to the Ministers of *Edinburgh* and others that  
 happened to repaire to that City for augmentation of stipends, did cast them  
 into a great fear, and repenting their wilfulness, as they had reason, became re-  
 questers to the Archbishop of *S. Andrews* to preach as he was commanded on  
*Christmas* day at *Edinburgh*, trusting his Majesty should be mitigated by his obe-  
 dience, and intercession for the rest. Neither did he fail to use his best means for  
 diverting the King from these rigorous courses, and after a little time (so loath  
 was his Majesty to exerce any rigour against Ministers) obtained a warrant for  
 staying the execution of the former letters, till their behaviour should be tried in  
 the particular Synods, and their disposition for accepting the Articles.

Mr. Archibald  
 Sympson put  
 to liberty.

Mr. *Archibald Sympson*, who all this while remained prisoner in the Castle of  
*Edinburgh*, hearing that the King was so greatly displeased, did supplicate the  
 Lords of his Majesties Commission (by whose command he was committed) for  
 liberty, “ promising not to fall again in the like errours, and professing a great  
 “ sorrow for his meddling with the Protestation, as likewise for writing that letter  
 “ wherein he had taxed the Church of *England*. Being brought before the Com-  
 mission, after he had set his hand to his supplication, he was permitted to return  
 to his charge at *Dalkeith*. Yet ere many days passed, finding the countenances of  
 the holy brethren cast down upon him, he dispersed an Apologetick (as he en-  
 titled it) wherein making a gloss upon every word of his confession he concluded,  
 “ that whatsoever weakness or frailty had befallen him, he hoped to be like *Peter*,  
 “ *qui ore negavit, & corde confessus est, and never to betray the Lords cause with Judas*.  
 This I have remembred by the way, to make the humours of these men seen,  
 and the small regard they take of saying, and gain saying, when it maketh for their  
 purpose.

His inconstan-  
 cie and change.

But to proceed; the Bishops upon advertisement given them convened at  
*Edinburgh* the 29 of *January*, and considering the hurt that the Church might  
 receive, if the Commission granted in Parliament for provision of Ministers  
 (which was to expire at *Lambmas* next) should take no effect, did by a common  
 letter intreat his Majesty for a warrant to proceed in that Commission, giving  
 hopes that in their Synods they should induce the Ministers to obey.

A warrant to  
 proceed with  
 the Commissi-  
 on of Stipends.

The answer returned in *February* next, was to this effect. “ That howbeit his  
 “ Majesty did interpret well their doings, as intended to the good of his service,  
 “ yet considering the obstinate resistance of the Ministers to all his just and reli-  
 “ gious desires, he could not expect any thing from them in their meetings, but  
 “ a further expresion of their former misbehaviour. Nottheless as he had once al-  
 “ ready, upon the Archbishop of *S. Andrews* his intreaty, suspended the execution  
 “ of his last directions, so at their requests he was pleased that the Commissioners  
 “ for Stipends should meet and go on with the providing of Churches, they in  
 “ the mean time in their own persons, and in their own Cathedralls observing  
 “ the festivities that should intervenc between and the Synods, and ministering the  
 “ holy Communion with the reverence required, at the feast of *Easter* next.  
 Thus were maters pacified for that time, and the Commission for augmenta-  
 tion of Stipends by the warrant of this letter put in practise.

Most



An. 1617.



A generall Assembly indicted at Perth.

His Majesties Letter to the Assembly.

Most of the next summer was spent in that work, but with greater detriment then benefit to the Church; for what augmentation soever was granted, the same was recompensed to the givers by prorogation of their former leases for numbers of years, and thereby the Church more damnified then bettered.

In the Synods all things were carried with reasonable quietness, so as upon the Bishops humble requests licence was granted for meeting in a generall Assembly, and the same indicted at *Perth* the 25 of *August*. The Lords *Haddington*, *Carnegy* and *Scone* were Commissioners in this Assembly for the King, who upon the end of the Sermon, presented his Majesties Letter conceived as followeth.

“WE were once fully resolved never in our time to have called any moe Assemblies here for ordering things concerning the policy of the Church, by reason  
“of the disgrace offered unto us in that late meeting of *S. Andrews*, wherein our just  
“and godly desires were not onely neglected, but some of the Articles concluded  
“in that scornfull manner, as we wish they had been refused with the rest: yet at  
“this time we have suffered our selves to be intreated by you our Bishops for a new  
“Convocation, and have called you together who are now convened, for the self  
“same business which then was urged, hoping assuredly that you will have some better regard to our desires, and not permit the unruly and ignorant multitude, after  
“their wonted custome, to oversway the better and more judicious sort in evill,  
“which we have gone about with much pains to have had amended in these Assemblies, and for that purpose, according to Gods ordinance and the constant practise  
“of all well governed Churches, we have placed you that are Bishops and overseers of the rest in the chiefeest rooms. You plead much we perceive to have  
“things done by consent of Ministers, and tell us often, that what concerneth the  
“Church in generall, should be concluded by the advice of the whole: neither do  
“we altogether dislike your opinion, for the greater is your consent, the better are  
“we contented. But we will not have you to think, that matters proponed by us of  
“the nature whereof these Articles are, may not without such a generall content be  
“enjoyed by our authority.

“This were a misknowing of your places, and withall a disclaiming of that innate  
“power which we have by our calling from God, whereby we have place to dispose  
“of things external in the Church, as we shall think them to be convenient & profitable for advancing true religion among our subjects. Wherefore let it be your care  
“by all manner of wise & discreet perswasions to induce them to an obedient yeelding to these things, as in duty both to God and us they are bound; and do not think  
“we will be satisfied with delays, mitigations and other we know not what shifts  
“have been proponed; for we will not be content with any thing, but a simple  
“and direct acceptation of these Articles in the form sent by us unto you a long  
“time past, considering both the lawfulness and undeniable convenience of them,  
“for the better furtherance of piety and Religion, the establishing whereof it had  
“rather have becomed you to beg of us, then that we should have needed thus to  
“urge the practise of them upon you.

“These matters indeed concern you of the Ecclesiasticall charge chiefly; neither  
“would we have called Noblemen, Barons and others of our good subjects to the  
“determination of them, but that we understand the offence of people that have  
“been so much objected, wherein you must bear with us to say, that no Kingdome  
“doth breed, or hath at this time more loving, dutifull, and obedient subjects  
“then we have in that our native kingdome of *Scotland*; and so if any disposition  
“hath appeared to the contrary in any of them, we hold the same to have proceeded  
“from among you, albeit of all sorts of men ye are they, that both of duty were  
“bound, and by particular benefits obliged to have continued your selves, and confirmed others by sound doctrine and exemplary life in a reverent obedience to  
“our commandments. What and how many abuses were offered us by divers of  
“the Ministry there, before our happy coming to the Crown of *England*, we can  
“hardly forget, and yet like not much to remember, neither think we that any  
“Prince living should have kept himself from falling in utter dislike with the pro-

“fession



An. 1618.

“ fession it self, considering the many provocations that were given unto us : but  
 “ the love of God and his truth still upheld us, and will by his grace so do unto the  
 “ end of our life, our patience always in forgetting and forgiving of many faults  
 “ of that sort, and constant maintaining of true Religion against the adversaries (by  
 “ whose hatefull practises we live in greater perill then you all or any of you)  
 “ should have produced better effect among you, then continuall resistance of our  
 “ best purposes, we wish that we be no more provoked, nor the truth of God which  
 “ you teach and profess, any longer slandered, by such as under the cloak of seeming  
 “ holiness walk disorderly amongst you, shaking hands as it were and joyning in  
 “ this their disobedience to Magistracy, with the upholders of Popery. In summe,  
 “ our hearty desire is, that at this time you make the world see by your proceedings  
 “ what a dutifull respect you bear to us your Sovereign Prince and naturall King  
 “ and Lord, that as we in love and care are never wanting to you, so ye in an hum-  
 “ ble submission to our so just demands be not found inferiour to others our sub-  
 “ jects in any of our kingdomes : and that the care and zeal of the good of Gods  
 “ Church, and of the advancing of piety and truth, doth chiefly incite us to the  
 “ following of these matters, God is our witness ; the which that it may be before  
 “ your eyes, and that according to your callings you may strive in your particu-  
 “ lar places, and in this generall meeting to do these things which may best serve to  
 “ the promoving of the Gospell of Christ, even our prayers are earnest to God for  
 “ you, requiring you in this and other things to credit the bearer hereof our servant  
 “ and Chaplain the Dean of *Winchester*, whom we have expressly sent thither, that  
 “ he may bring unto us a certain relation of the particular carriages of all matters  
 “ and of the happy event of your meeting, which by Gods blessing (who is the God  
 “ of order, peace and truth) we do assuredly expect, unto whose gracious direction  
 “ we commend you now and for ever.

Given at *Theobalds* the  
 10 of *July* 1616.

The five Arti-  
 cles conclu-  
 ded.

The Letter being read once and again, as the custome is with letters of such im-  
 portance, the Archbishop of *S. Andrews* resumed shortly the heads thereof, advi-  
 sing them, as he had done in his exhortation, to consider the inconveniencies they  
 should draw upon the Church by the refusall of the Articles. After which the rolls  
 being called, certain of the most wise and discreet Ministers, were set apart to con-  
 ferre upon the Articles. How matters proceeded in the said Assembly, you may  
 learn by the Defence afterward published, in answer to a lying and seditious pamph-  
 let that came forth in print against the conclusions there taken. To our story it shall  
 suffice that after long reasoning, first in the conference, and then in the full Assem-  
 bly, the Articles were concluded in this form.

Article for  
 kneeling.

1 *Seeing we are commanded by God himself, that when we come to worship him, we fall  
 down and kneel before the Lord our maker, and considering withall that there is no part of  
 divine worship more heavenly and spirituall, then is the holy receiving of the blessed body  
 & blood of our Lord and Saviour Jesus Christ, like as the most humble & reverent gesture  
 of our body in our meditation and the lifting up of our hearts best becometh so divine and  
 sacred an action; therefore notwithstanding that our Church hath used since the reformati-  
 on of Religion to celebrate the holy communion to the people sitting, by reason of the great  
 abuse of kneeling used in the Idolatrous worship of the Sacrament by the Papists; yet seeing  
 all memory of by past superstitions is past, in reverence of God and in due regard of so  
 divine a Mystery, and in remembrance of so mysticall an union, as we are made partakers  
 of; the Assembly thinketh good, that the blessed Sacrament be celebrated hereafter meekly  
 and reverently upon their knees.*

Private Com-  
 munion.

2 *If any good Christian visited with long sickness and known to the Pastor, by reason of  
 his present infirmity be unable to resort to the Church for receiving the holy communion,  
 or being sick, shall declare to the Pastor upon his conscience that he thinks his sicknesse to be  
 deadly, and shall earnestly desire to receive the same in his house, the Minister shall not deny  
 him*



him so great a comfort, lawfull warning being given to him the night before, and that there be three or four of good Religion, and conversation, free of all lawfull impediments, present with the sick person to communicate with him, who must also provide a convenient place in his house, and all things necessary for the reverent administration thereof according to the order prescribed in the Church.

An. 1618.

3 Item, The Minister shall often admonish the people that they deferre not the Baptisme of Infants any longer then the next Lords day after the child be born, unless upon a great and reasonable cause declared to the Minister and by him approved, the same be continued. As also they shall warn them that without great cause they procure not their children to be baptiz'd at home in their houses, but when great need shall compell them to baptize in private houses (in which case the Minister shall not refuse to do it, upon the knowledge of the great need, and being timely required thereto) then Baptisme shall be administered after the same form as it should have been in the congregation: and the Minister shall the next Lords day after any such private baptisme declare in the Church that the infant was so baptiz'd, and therefore ought to be received as one of the true flock of Christs fold.

Private Baptisme.

4 For as much as one of the speciall means for staying the increase of Popery, and setting of true Religion in the hearts of people is, that a speciall care be taken of young children, their education, and how they are catechized, which in time of the Primitive Church most carefully was attended as being most profitable to cause young children in their tender years drink in the knowledge of God and his Religion, but is now altogether neglected, in respect of the great abuse and errors, which crept into the Popish Church by making thereof a Sacrament of Confirmation; therefore that all superstitions built thereupon may be rescinded, and that the matter it self being most necessary for the Education of youth, may be reduced to the Primitive integrity, it is thought good that the Minister in every parish should catechise all young children of eight years of age; and see that they have the knowledge, and be able to make rehearsall of the Lords Prayer, Belief & ten Commandements, with answers to the Questions of the small Catechisme used in our Church: & that every Bishop in his visitation shall censure the Minister, who shall be found remisse therein; & the said Bishops shall cause the said children to be presented before them, & bless them with prayer for the increase of their knowledge, & the continuance of Gods heavenly graces with every one of them.

Confirmation of Children.

5 As we abhor the superstitious observation of Festivall days by the Papists, and detest all licentious and profane abuses thereof, by the common sort of professors; so we think that the inestimable benefits received from God by our Lord Jesus Christ, his birth, passion, resurrection, ascension, and sending downe of the holy Ghost was commendably, and godly remembred at certain particular days and times by the whole Church of the world, and may also be now: therefore the Assembly admitteth that every Minister shall upon these days have the commemoration of the foresaid inestimable benefits, and make choice of severall and pertinent texts of Scripture, and frame their doctrine and exhortation thereto; and rebuke all superstitious observation and licentious profanation thereof.

Observation of Festivities.

These Articles concluded, order was given to intimate the same in all the parish Churches, and the Ministers enjoyned to inform their people of the lawfulness thereof, and exhort them to obedience. But this being neglected of the greater part, was not the least cause of the distractions that ensued, especially in the Church of Edinburgh, where the people being still fostered in an opinion that their Ministers would not go from their former practise, when they saw them give obedience withdrew themselves in great numbers, and ran to seek the Communion from other Ministers they knew to be refractory. His Majesty always upon advertisement that the Articles were concluded, caused publish the same at the Mercat Crofs of the principall burghs, commanding the subjects to obey and conform themselves under the pain of his Highness displeasure.

The Articles ordained to be intimated in all Churches.

At the same time the King being informed that the Earl of Argile (who the summer preceding had obtained licence upon a pretext of some infirmity to go unto the Spadan wells) was revolted from the Religion, and that he entertained some secret practise with old Mackrannald for disturbing the Countrey, did recall his licence, and ordained him to be cited upon threescore days to appear before the Councell. He not appearing at the time appointed was denounced Rebell, and pro-

The Earl of Argile falleth from his profession.



An. 1618.

A Comet or  
blazing Starre.Queen Anne  
dieth.

Ann. 1619.

The Synod of  
Dordrecht said  
to have con-  
demned the  
five articles of  
Perth.The Bishop of  
Galloway di-  
eth.The Bishop of  
Brichen trans-  
lated to Gallo-  
way.A distraction  
betwixt the  
Ministers and  
Magistrates of  
Edinburgh.The disorder  
pacified.Four other  
Ministers  
planted at E-  
dinburgh.

process of forfeiture intended against; him whether he was perverted by his *Eng-lish* Lady who was Popish, or that to gain the favour of *Spain* he did change his religion, is doubtfull, but thereby he lost his Majesties favour (who could never endure an apostate Papist) and undid his own reputation. Some ten years after he made means for his peace, and was permitted to return unto *England*.

In the moneth of *November* a Comet or blazing starre of more then ordinary bigness, shined many nights together. It was held to portend great calamities, and was interpreted by divers to have foreshewed the troubles that shortly after arose in *Germany*; But as every one is ready to make his own construction of such things, some with us did take it to foretell the death of our noble Queen *Anne*, who deceased some moneths after, to the great regrate of all honest subjects; a courteous and humane Princess, and one in whom there was much goodness.

It was in this year that the Synod in *Dordrecht* in *Holland* was gathered for repressing the *Arminians*, and thither did the troublers of our Church (thinking to procure their approbation) direct a relation of the Government of the *Scotch* Church. But the Synod declining all questions of discipline, held themselves to the points of doctrine controverted, and having condemned the *five articles* wherein the *Arminians* dissented from the reformed Churches, the acts of *Perth* Assembly being also five in number, it was given out among the vulgar sort, that they had condemned the Synod of *Perth*, and for a time was the people entertained by some Ministers in those conceits. The relation was confuted a little after, and the falsehood thereof discovered; yet they ceased not by their Libells and Pamphlets, to injure the most worthy men, and among others the Bishop of *Galloway*, whom they vexed so with their Papers, as he taking the business more to heart then was needful, fell in a sickness whereof he deceased in the beginning of the same year. An excellent and ready Preacher he was, and a singular good man, but one that affected too much the applause of the popular. The good opinion of the people is to be desired, if it may be had lawfully; but when it cannot be obtained (as who is he that can please all men, and at all times?) the testimony of a well informed conscience should suffice. *Mala opinio bene parva delectat*, said *Seneca*, An ill opinion well purchased, (that is, for sustaining a good cause, or keeping a straight course) should work us joy and delight, not grieve us at all.

Upon the death of Mr. *William Comper*, Mr. *Andrew Lambe* was translated to *Galloway*, to whom succeeded in *Brichen* Mr. *David Lindsay*, then Minister at *Dundy*. At *Edinburgh* between the Magistrates and Ministers a great strife and discontent was raised, because of the Peoples straying from their Churches, at which the Magistrates were thought to connive. Their usurpation besides in Church affairs, especially the intending of a Clerk upon the Church Session, did minister no small cause of offence. The matter was brought before the King, where in behalf of the Ministers it was said, That they were unkindly used for the obedience given to the Acts of *Perth* Assembly; the Magistrates by their Commissioner did on the other side inform, That the Ministers were the cause of the peoples disobedience, some of them having directly preached against the Acts of *Perth*, and all of them affirmed that these Acts were concluded against their hearts.

His Majesty remitting the triall of these complaints to his Secretary and to the Archbishops of *S. Andrews* and *Glasgow*, when as they had examined the same, it appeared that both the one and the other were in fault, and that the mistakings among them were not the least cause of the disorders in that Church, whereupon they were admonished to lay aside their grudges and to keep one course for the retaining the people in the obedience of God and his Majesty. The Magistrates and Councill were likewise commanded, as the King had given direction, to provide four other Ministers, besides those that were in present service, and perfect the division of the Town in Parishes, which had been often promised. And so shortly after this, were Mr. *William Forbes* Minister at *Aberdene*, Mr. *John Guthry* Minister at *Perth*, Mr. *John Maxwell* Minister at *Murchlack*, and Mr. *Alexander Thomson* Minister at *Cambuslang* translated from their severall Churches and placed Ministers at *Edinburgh*.

The



The next year beginning the year 1620 the wars of *Bohemia* growing hot, and the *Palatinate* invaded, the King took in minde the defence of his daughter and grandchildren in their Pattimony, and because a supply of money was required to such a business, the Councell was desired to travell with the Noblemen the Members of Session; and the Town of *Edinburgh* for a voluntary contribution, knowing that others by their example would be drawn thereto. The Noblemen meeting to this effect the 24 of *November* expressed a great forwardness to satisfie his Majesties desire, yet fearing that all the contributions when they were brought together should prove unworthy, advised the Councel rather to call a Parliament and impose upon the subjects by way of Tax a reasonable proportion according to the wealth and substance that every man had. This being signified to the King he refused to have any supply by Tax, for he considered that the collection would require a time, and a burthen should that way be cast upon the Commons, and poor labourers of the ground, which would make an outcry among the people; therefore he desired as before, that Noblemen, and those others he had named in his first letter, should be urged to shew their liberality.

An. 1620.

A contribution  
required for  
defence of the  
*Palatinate*.

A new meeting for this business being kept in *January* there after, divers overtures were made for giving his Majesty content; The Noblemen that were present made offer to give a benevolent according to their abilities; and divers of their rank being minors, and others abroad in their travells, they saw not who would undertake for them. The Town of *Edinburgh* being pressed with an answer excused themselves as being one Burgh only, and lacking the concurrence of the rest, without which any supply they could make would be of little worth. The Advocates, Clerks, and other members of the Session gave in effect the like answer, so as they were forced to turn unto the first overture for a Parliament. And for that the difficulties of the contribution could not so well be expressed by letter, it was thought meet that one of the Councel should be sent to inform his Majesty of the reasons, and necessity they had to call a Parliament. This employment being laid upon the Archbishop of *S. Andrews* he took journey about the end of the same moneth, and obtained after a little insisting his Majesties warrant for a Parliament; thus was it indicted to keep at *Edinburgh* the first of *June*, and prorogued to the 23 of *July* thereafter.

Ann. 1621.

A Parliament  
desired by the  
estates.

In this mean time it happened that Sir *Gedeon Murray* Thesaurer deputy being then at Court, an information was made against him for abusing his office to the Kings prejudice. The informer was *James Stuart* stiled the Lord *Ochiltry*, who out of malice carried to the Gentleman for the strictness which he had used in calling him to an account for the duties of *Orkney*, made offer to justifie the accusation; and by the assistance of some of better credit then himself, prevailed so farre, that the matter was remitted to the triall of certain Counsellors at home; the Gentleman being of a great spirit, and taking impatiently that his fidelity, whereof he had given so great proof, should be called in question upon the information of a malicious enemy, by the way as he returned from Court, did contract such a deep melancholy as neither counsell, nor comfort could reclaim him, so farre was he overgone that no advice given by friends, nor offer of their assistance, nor the company and counsell of any whomsoever could reduce him to his wonted estate; And so after he came to *Edinburgh* within a few days departed this life. It was not doubted, if he should have patiently attended the triall, but he had been cleared, and the accusation proved a meer calumny; nor was it thought that the King did trust the information, but only desired to have the honesty of his servant appear, yet such was his weakness (courage I cannot call it) as giving scope to his passions of anger and grief, he suffered himself to be therewith oppressed. By his death the King did lose a good servant as ever he had in that charge; and did fore forethink that he should have given ear to such delations. But of that pestilent sort some will never be wanting in the Courts of Princes, and happy is the King that can rid himself of lyers in that kind. The Gentleman alwayes dyed happily, and had his corps interred in the Church of *Halyrudhouse*.

Sir *Gedeon*  
*Murray* his  
death.

The time of Parliament drawing neer, the Marquis of *Hamilton* was employ-



An. 1621.

The Marquis  
of Hamilton  
keepeth the  
Parliament.

Matters con-  
cluded in Par-  
liament.

The King re-  
ceiveth great  
content by the  
things conclu-  
ded.

A Letter from  
his Majestie to  
the Bishops.

A Letter from  
his Majesty to  
the Councell.

The Marquis  
of Hamilton  
wronged by a  
false rumour.

ed as Commissioner for keeping the same; at his first coming having understood the business that some turbulent Ministers were making to impede the ratification of the Acts of *Perth* Assembly, he caused discharge all the Ministers out of the Town, the ordinary Preachers excepted, and two of the number that would not be made quiet, he sent prisoners to *Dumbarton*: all that time he did carry himself, and the matters committed to his trust with such wisdom and foresight, as within a few days he brought them all to the end which he wished, without any open contradiction. The subsidy desired was granted, the Acts of *Perth* Assembly ratified, and divers constitutions for the profit and good of the Countrey, as in the Acts imprinted may be seen. At the closing of the Parliament, which was the fourth of *August*, such abundance of rain, with such thunderings and lightnings did fall, as the Noblemen and others of the Estates were compelled to leave their horses, and betake them to their Coaches, which the factious sort did interpret to be a visible sign of Gods anger for ratifying the Acts of *Perth*: others in derision of their folly, said, that it was to be taken for an approbation from heaven, likening the same to the thunderings and lightnings at the giving of the law to Moses.

This was the last Parliament of King *James* in this Kingdome, and that wherein he received greatest content: for the *Puritan* faction had boasted that the Acts of *Perth* should never pass in a law (so confident they were of their favourers in the Parliament house) and now that they failed in their hopes, he trusted they would become more wise. But the King no less carefull to have the Acts obeyed then he was to have them pass in a law, did commend the same by two severall letters to the Bishops and Lords of the Councell.

To the Bishops he said, *That as they had to do with two sorts of enemies, Papists, and Puritans; so they should go forward in Action, both against the one and the other: That Papistry was a disease of the minde, and Puritanisme of the braine, and the antidote of both a grave, settled and well ordered Church in the obedience of God and their King; whereof he willed them to be carefull, and to use all means for reducing those that either of simplicity, or wilfulness did erre.*


In his letter directed to the Councell, he put them in minde of that he had written in his *Basilicon dore*, *That he would have reformation begin at his own elbow, which he esteemed the Privy Councell and Session with their members to be, as having their places and promotions by him. Therefore commanded them and every one of that number to conform themselves to the obedience of the orders of the Church now established by law; which he trusted they would readily do, otherwise if any Counsellor or Sessioner should refuse, and make difficulty, he did assure them that if within 14 dayes before Christmas they did not resolve to conform themselves, they should lose their places in his service; And if any Advocate or Clerk should not at that time obey, they should be suspended from the exercises of their offices, and the fees and casualities thereunto belonging, unto such time as they gave obedience.* In the same letter he willed the Councell to take order, *That none should bear office in any Burgh, nor be chosen Sheriffe, Deputy, or Clerk, but such as did conforme themselves in all points to the said orders.* This letter was of the date, *At the Honour of Hampton the 29 of September 1621.*

By this may the Reader judge of that which hath been commonly affirmed, "That the Nobleman who was Commissioner, should have promised at the passing of the Acts, that none should be pressed with the obedience of them, but all left to their own pleasures. That his Majesty gave no such warrant it appears by the foresaid Letters, and that the Nobleman would go an inch from that he was trusted with, nonethat knew will believe. The truth is, that in most perswasive words (and with that majesty which became the place he represented) "he did require them all to acquiesce, and willingly obey the conclusions taken. and not to "draw upon themselves by their disobedience his Majesties anger, assuring them "in that case, that his Majesty should not in his daies presse any more change, or "alteration in matters of that kinde without their own consents. And this was all the Nobleman spake, as divers yet living may remember.



In the beginning of the next year the Chancellor died at his house of *Pinky* near to *Musilburgh* in a good age, and with the repute of many; for he exercised his place with great moderation, and to the contentment of all honest men: he was ever inclining to the *Roman faith*, as being educated at *Rome* in his younger years, but very observant of good order, and one that hated lying and dissimulation, and above all things, studied to maintain peace and quietness. Sir *George Hay* Clerk of Register being then at Court was preferred to the place, and by his dismissal Mr. *John Hamilton* brother to the Earl of *Haddington*, made Keeper of the Register.

An. 1622.



The Chancellor  
for Scotland  
died.

About this time upon advertisements sent from *England* of the enlargement of certain Priests and Papists that were there imprisoned, a rumour was dispersed, that the King was inclining to a toleration of *Popery*, and would grant liberty of conscience. This rumour was increased by occasion of certain directions sent from the King to the Bishops of *England*, for reforming certain abuses crept into the Church, whereby the Preachers and Lecturers were commanded on Sundaies and Holy-daies in the afternoon to teach the Catechisme only, or then some text taken out of the Creed, the ten Commandements, or Lords Prayer; and in their preaching to abstain from handling the deep points of Predestination, Reprobation, Election, the universality, efficacy, resistibility, or irresistibility of Grace, leaving these themes as fitter for the Schools then for simple auditors: as likewise not to presume in any Lecture or Sermon to limit and bound by way of positive doctrine, the power, prerogative, jurisdiction, authority or duty of sovereign Princes, or to meddle with matters of State, having reference betwixt Princes and people, otherwise then they were instructed and presided in the Homily of Obedience, and others of that sort, set forth by publick authority. These directions were interpreted to be a discharge of preaching, at least a confining of Preachers to certain points of doctrine, which they called a *limiting of the Spirit of God*, and as people will ever be judging and censuring publick actions, every one made the construction whereunto their humours did lead them.

Rumors dis-  
persed of To-  
lerations in-  
tended.

The better and wiser sort, who considered the present estate of things, gave a farre other judgment thereof; for as then the King was treating with the *French* King for peace to the Protestants in *France*, and with the King of *Spain* for withdrawing his forces from the *Palatinate*, at which time it was no way fitting that he should be executing the rigour of his laws against Papists at home, while he did labour for peace to them of the Religion abroad; the most likely way to obtain what he did seek of these Princes, being a moderation of the severity of laws against Priests & Papists, at least for a time. And as to the directions given to the Preachers, the same they judged both necessary and profitable, considering the indiscretion of divers of that sort, who to make ostentation of their learning, or to gain the applause of the popular, would be meddling with controversies they scarce understood, and with matters exceeding the capacities of people.

The judgment  
of the wiser  
sort.

The King offending with these rumours which he heard were dispersed in both Kingdoms, took occasion in a Parliament assembled about that time in *England* to speak to them and say: *I understand that I am blamed for not executing the laws made against Papists, but ye should know that a King and his laws are not unsitly compared to a rider and his horse, the spur is sometime to be used, but not alwaies; the bridle is sometimes to be held in, at other times to be let loose, as the rider finds cause: just so a King is not at all times to put in execution the rigour of his laws, but he must for a time, and upon just grounds dispense with the same, as I protest to have done in the present case, and to have connived only for a time upon just cause, howbeit not known to all. If any man for the favour shewed to a Priest or Papist, will judge me to be inclining that way, he wrongs me exceedingly. My words, and writings, and actions have sufficiently demonstrated what my resolution is in all matters of Religion.*

His Majesties  
speech in a  
Parliament  
held at that  
time in Eng-  
land.

Some mo words to this purpose he uttered in that meeting, but in a Letter directed to the Council of *Scotland*, he was somewhat more rough, finding fault with those that presumed to censure his proceedings, and commanding them to take an exact triall of such as had broken out into any such insolencies either in word or deed, and to punish them severely according to the laws. This was not well publish-

An. 1623.

His Majesties  
directions to  
the Councell  
of Scotland.



An. 1623.

ed, when the news of the Princes journey to *Spain* made all good men amazed: for hearing that he was gone accompanied only with the Duke of *Buckingham*, and another servant, the fear of inconveniences that might befall his person, did mightily trouble them. But it pleased God both in his going and returning safely to conduct and protect him. The occasion and successe of that journey, I shall shortly relate.

The Princes  
journey to  
*Spain*, and the  
occasion  
thereof.

A match had been treating of a long time betwixt the Prince and a Daughter of *Spain*, which received many hinderances both at home and in that Court; but it being thought that the delaies made in these parts, would be easily removed, by the presence of the Prince himself, whereof great hopes were given by *Gundamar* the *Spanish* Ambassadour, the King gave way to the journey, as hoping by this mean to have the *Palatinate* freed from the vexations of warre, and a generall peace established throughout *Christendome*. Thus the Prince accompanied in manner aforesaid, departed secretly from Court, and landing at *Callais*, went through *France* undiscovered, and after a few daies came safely to the Court of *Spain*.

The Princes  
entertainment  
in *Spain*.

At his coming he was kindly received and welcomed with divers courtly Complements, but found a greater strangeness then he expected; for although he was still kept in hope of the Match, yet he was not permitted to visit the Lady, but upon condition to speak in such and such terms, and no otherwise. Afterward they began to move him touching his Religion, desiring he should conferre with some Divines, for that he could not have the *Infanta* to wife, unlesse he was converted, and became a *Roman Catholick*. The Prince replying, *That he would not change his Religion for such a worldly respect, nor would he enter in conference with any Divines to that purpose, for if they did not prevaile with him, it would breed a greater discontent;* It was then told him, *that he must attend till a dispensation was procured from Rome, and that in the mean time he should be entertained as a Prince, but not as a Sutor.*

The Letter of  
Pope Gregory  
the 15 to the  
Prince.

This Dispensation being returned, which had in it a condition, that the King of *Spain* should take oath to obtain the King of *Britains* consent unto certain demands concerning Religion, there was a letter therewith sent from Pope Gregory the 15<sup>th</sup> to the Prince, wherein after many fair and plausible words, he said, *that as Pope Gregory was the first that induced the people of England to submit themselves to the See Apostolick, so he bearing the same name, and being his equall in the height of dignity, though inferiour to him in vertue and holiness, desired nothing more then to follow his pattern, and promote the health and happiness of that Kingdome: the rather because his peregrination at that time had given such hopes of an happy success; for since he was arrived in Spain and at the Court of the Catholick King, with a desire to joyn in marriage with the house of Austria (which intention he greatly commended) he could not believe that he did really desire the Match and in heart abhorre the Catholick Religion, and seek to ruine the holy See of Rome.* Then falling to a prayer, he besought God the Father of lights to advance him *(the most fair flower of the Christian world, and the only hope of Great Britain)* to that noble inheritance which his illustrious progenitours had gained by the defence of the Apostolick authority, and the suppression of the monsters of all heresies. Towards the end of the Letter willing him to call to minde the antient times, and make his prayers to his ancestors, that they would vouchsafe to teach him the way by which they went to heaven, he askt how he could with patience bear the hereticks call them damned, whom the Catholick faith doth testifie to reign in heaven, and to dwell exalted above all the Princes of the earth. In end returning to his supplications, he said, *that the Catholick Church Roman stretching forth her armes to embrace him with all affection as her most desired son, he could not perform any thing of greater comfort to the Nations of Christendome then to bring again the profession of that most noble Island to the Prince of the Apostles, whereof he could not despaire, his hopes being set on God, in whose hands are the hearts of kings, &c.*

The successe  
of the Match  
intended with  
*Spain*.

This Letter given at *Rome* in the Palace of *S. Peter* the 20 of *April* 1623, and in the third year of his *Apostolate*, was delivered to the Prince about the midst of *May*, which he received courteously, thanking the Pope for his good affection. Thereafter understanding that the Dispensation was granted, he pressed the performance of the Marriage, but was answered, *That the Conditions must first be fulfilled,*  
and



and the Articles concerning the Infanta her liberty of profession when she came into England, and the education of her Children, if God should grant her any by him, drawn up in form. These Articles being advised by a Commission of Divines, were sent into England, and shortly after returned, signed with his Majesties hand, and approved by the Councill. And now it was thought there should be no more delaies used, but other excuses were forged, as *that it was not fitting the Infanta should go to England before the business of the Parliament was seiled, and that these Articles must be sent to Rome, and allowed by the Pope.* The Prince perceiving that there was nothing really intended on the King of Spain his part, and that the Treaty was only entertained till the King of Spain had reduced Germany in his power, resolved to be gone, and declaring the necessity he had to return, did leave a Proxie in the hands of the Earl of Bristol (the Ambassadour legier) for espousing the Infanta, how soon the Articles returned from Rome. So the King of Spain having conveyed the Prince a little way towards the sea, they parted in most loving tearms, and in hope the Match should take effect. But the Prince being after that informed of a conclusion laid, "That if the Match should be further pressed, the Infanta to eschew the" same should presently enter into the house of *los Descalceatos* (a Monastery of bare-footed Nunnes) after he was parted, sent and commanded Bristol not to make use of the proxie till he should advertise.

An. 1623.

The Prince having for his convoy home, eleven of the Kings ships, and some Merchants, arrived at *Portsmouth* the 5 of *October* with his whole retinue, and went the next day to *Royston* where the King lay. The joy was exceeding great of all sorts of people and publick thanks given to God throughout all the Churches of both the Kingdoms for his safe return. Soon after when the King perceived by the report, that neither was the Match truly meant, nor the *Palatinate* like to be restored, he directed the Earl of Bristol to insist for the restitution, and if he was put off with delaies to take his leave and come home; which also he did. Thus was the marriage which had been long treated of quite dissolved, the King saying, *That he would never marry his Son with a Portion of his only Sistes tears.*

The Prince returneth to England.

The year following the Ministers of *Edinburgh* were greatly vexed by a sort of mutinous people, who separating themselves from the publick Assemblies kept private Conventicles, and went so far as to oppose publicly the order established for receiving the holy Communion. The leader of those was *William Rigge* elected one of the Bailiffs for that year. This man puffed up with a conceit of his own abilities did dream of no lesse, then the overturning of the Church orders, and reforming of the Ministry in such things as he held to be amisse: hereupon in a meeting ordinarily kept before the celebration of the holy Sacrament, he did publicly challenge Doctor *William Forbes*, who was afterwards preferred to the Bishoprick of *Edinburgh* for divers points of doctrine, delivered by him in his Sermons, and when as he refused to be judged by him and the Laicks that assisted, the said Baliffe did openly threaten them all, that unlesse they returned to the old form of ministring the holy Communion, the whole people should forsake them. Herein he was assisted by *John Hamilton* an Apothecary, *John Dickson*, *William Thomson*, *John Meene*, and some other base companions, who being called before the Councill were charged to leave the Town, and the Bailiffe *William Rigge*, deprived of his Bailiwick, and declared incapable of any publick office in time coming.

An. 1624.  
A trouble in  
Edinburgh raised  
against the  
Ministres.

This trouble gave occasion of settling the state of that Church in a better case then in former times, "the Ministers being ordained to reside in their own Parishes, and have allowed to them a sufficient maintenance; the popular election of Ministers, when as places by any occasion fell void, discharged, and the presentation appointed to be made by the Provost, Bayliffs, and Councill; the Sessions to be choosed yearly by the Magistrates and Ministers for the particular Parishes, who should convene every year, some ten daies after the election of the Magistrates, for that business; the meeting before the Communion wherein the Ministers were accustomed to be censured by the people, simply prohibited: with divers other particulars serving to the orderly ministration of all things in the Church.



An. 1624.

The death of  
Lodovick Duke  
of Richmond  
and Lennox.

The 16 of February, Lodovick Duke of Richmond and Lennox deceased, to the great regrate of all that knew him; a Nobleman of excellent parts, whose very aspect and countenance did promise much good. He was thrice married, first to a Sister of the Earl of Gowry, by whom he had no children; his second Wife was a Sister of the Lord London, by whom he had a daughter and son that died both young. In his third and last marriage with the Countesse of Harford, he found more content then in both the other, but lived with her only some few years, being taken away in the 48 year of his age. His brother a noble Gentleman succeeded, but did not survive him long, for he died the next year, leaving a hopefull succession of children behinde him.

An. 1625.

The death of  
James Mar-  
quis of Ha-  
milton.

The next year in the moneth of March, James Marquis of Hamilton deceased also; a Nobleman of rare gifts, and fitted for the greatest affairs, which he shewed at his deputation to the Parliament 1621, and at other divers occasions: his death was the more grievously taken, that it was thought it was procured by poyson, whereof the monstrous swellings in his face and body afore his death gave great appearance: his corps brought to Scotland by sea was interred at Hamilton with his predecessours.

The King  
much affected  
with these  
deaths, con-  
tracts a fever  
and dieth.

These two deaths affected the King exceedingly, and when it was told him that the Marquis was dead, he said, *If the branches be thus cut down, the stock cannot continue long*; which saying proved too true, for shortly after he fell into the fever that the Physicians call *Hemitritæam*, a dangerous fever to those that are grown in years, and thereof died at Theobalds the 27 of March being Sunday about twelve of the clock in the forenoon. The Thursday preceding his death, he desired the blessed Sacrament to be ministred unto him, which he received with great devotion, professing to the Prince his son, and those that stood by, that *he had received a singular comfort thereby*, wishing all men to doe the like when they were visited in that sort. From that time to the hour of his death, he was still almost praying, and some one sentence or other of piety ever in his mouth. As he drew neer to his end, the prayer usually said at the hour of death being ended, having repeated once or twice these words, *Veni Domine Jesu*, he gave up the ghost without any pangs, as are commonly seen in persons that are dying. He was the *Salomon* of this age, admired for his wise government, and for his knowledge of all manner of learning; for his wisdom, moderation, love of justice, for his patience and piety, (which shined above all his other virtues, and is witnessed in the learned works he left to posterity) his name shall never be forgotten, but remain in honour so long as the world indureth. We that have had the honour and happiness many times to hear him discourse of the most weighty matters, as well of Policy as Divinity, now that he is gone, must comfort our selves with the remembrance of these excellencies, and reckon it not the least part of our happiness to have lived in his daies.

Many dolefull Epitaphs in all Languages were composed to expresse the sorrow conceived by his death. This following penned by a learned Divine in our vulgar language, did affect me so as I thought good to subjoin it.



**A**LL, who have eyes, awake and weep,  
 For he whose waking wrought our sleep,  
 Is fallen asleep himself, and never  
 Shall wake again, till wak'd for ever:  
 Deaths iron hand hath clos'd those Eyes  
 Which were at once three Kingdoms spies,  
 Both to foresee, and to prevent  
 Dangers as soon as they were meant.  
 That *Head* whose working brain alone  
 Wrought all mens quiet but its own,  
 Now lies at rest. O let him have,  
 The peace he lent us, in his grave.  
 If that no *Naboth* all his Reign,  
 Was for his fruitfull vineyard slain;  
 If no *Uriah* lost his life  
 Because he had too fair a wife;  
 Then let no *Shimei's* curses wound  
 His honour, or profane his ground.  
 Let no black-mouth'd, no rank-breath'd cur,  
 Peacefull **JAMES** his Ashes stir.  
 Princes are Gods; ô doe not then,  
 Rake in their graves to prove them men.  
 For two and twenty years long care;  
 For providing such an Heir,  
 Who to the peace we had before  
 May adde twice two and twenty more;  
 For his daies travels, and nights watches;  
 For his craz'd sleep, stoln by snatches;  
 For two fair Kingdoms joyn'd in one;  
 For all he did, or meant t' have done,  
 Doe this for him, write on his dust,  
*JAMES the Peacefull, and the Just.*

An Epitaph  
 upon King  
*JAMES* his  
 death, written  
 by the Reve-  
 rend Divine,  
 Dr. Morley  
 C.C.C. Oxon.

*The End.*



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**I**T may concern the ease of the Reader to observe, that care was taken so strictly to follow the Authors own Copy, that it was not thought fit to change those words of the Scottish Idiom, which sometime the Reader will meet with in this History: Most of them are of *Latine origination*, and therefore will not be matter of difficulty to very many. And lest for want of caution any should be inclinable to condemn the Printers care, it was thought necessary to prepossess him with this advertisement: The rest that have escaped his diligence, the present Table of *Errata* will represent to be objects of his care, to amend; and of his Charity, to pardon.

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